

THE GROWTH OF THE UNITED STATES

*VOLUME I: THE ESTABLISHMENT OF THE NATION
THROUGH THE CIVIL WAR*

REVISED EDITION

RALPH VOLNEY HARLOW

PROFESSOR OF AMERICAN HISTORY
MAXWELL GRADUATE SCHOOL OF CITIZENSHIP AND PUBLIC AFFAIRS
SYRACUSE UNIVERSITY



New York
HENRY HOLT AND COMPANY

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7/43

PRINTED IN THE
UNITED STATES OF AMERICA

Preface

The first edition of this text was published in 1925, in one volume. Since that time the concept of history has become broader and developments of the past eighteen years seem particularly important; the two factors combined have resulted in larger texts for college courses. In accordance with prevailing custom therefore this new edition is published in two volumes. Most of the material for the period before 1865 has been rewritten; with the exception of a few pages the second volume is new. Although the work has undergone considerable expansion, its basic purpose is unchanged, that is, to assist college students in familiarizing themselves with the essentials of American history.

In the development of their social, economic, and political institutions Americans of one generation or another have sometimes departed from professed ideals; these departures—some people call them blunders—are not ignored in this book. But in spite of shortcomings and mistakes our people have created a system which has provided safety and dignity for the individual human being. These achievements are of inestimable value in themselves, and the processes by which they were gained deserve careful attention. Today, when the basic principles of our civilization are ridiculed and challenged by barbarians abroad, an understanding of our past has become essential. This knowledge, properly appraised, affords ample ground for pride in our record; it also provides abundant justification for the present war against aggression.

Valuable as our history is as a factor in the war effort, it will have even greater value when the war is ended. Past blunders should have at least the negative advantage of showing what to avoid, while constructive achievements point the way toward further gains. If history were merely the dead hand of tradition it might be an actual handicap. Some people would have it that way, to serve as a bulwark against any social change. But when it is studied as it should be, as part of a continuing dynamic process, history furnishes indispensable guides.

Students need to be reminded sometimes that a text is an outline, never a complete account or a final authority. But an adequate text should be in conformity with the findings of competent scholars; its general statements should fit known facts. Sometimes the limitation of space results in seem-

ingly dogmatic statements regarding controversial matters; in these cases collateral reading will generally provide supporting evidence.

The author takes this opportunity to thank those teachers whose cordial reception of the book in its first two editions has made this revision possible.

R. V. H.

Maxwell Graduate School
Syracuse University
January, 1943

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The Background

BASIC FACTORS

HISTORY might be defined as the vast, voluminous, and unbroken stream of human activity; something which began before there were any formal written records and will continue to develop as long as mankind lives on this planet. Historians are concerned with that part of the stream which has already rolled past. Philosophers have sometimes tried to study it as a whole, and perhaps historians should attempt to follow their example. But this record of human activity is so bulky that it cannot be studied adequately as a whole, and for reasons of convenience the record is broken into parts. In selecting these parts for study and analysis, historians have sometimes been both capricious and arbitrary, rather than scientific and logical. In our American universities custom decrees that these subdivisions of the subject of history shall be determined partly with reference to geographic areas and partly with reference to political entities. Thus we have histories of Europe or of the Far East—in both cases areas with several political units—or of the United States, which geographically is not a unit at all, but merely a part of an area. There is, however, a political unity to be found in the study of the history of the United States, and both custom and convenience justify its arbitrary selection as a subject of study.

History in
General

In examining this record of human activity, historians are concerned with happenings which have occurred at some specific time and in some specific place. An understanding of history therefore presupposes some sense of chronology and a definite knowledge of geography. These necessities may be acquired as one makes progress in the subject, but without them any attempt to study history is sheer waste of time. Fortunately the main outlines of the geography of the United States are simple and clear. On the Atlantic coast there is a frontage of more than fifteen hundred miles, extending from Key West, Florida, to Eastport, Maine. On the Pacific coast, from the Mexican border to Canada, the frontage is approximately twelve hundred miles. From coast to coast the distance is about three thousand miles. These figures, however, merely suggest the external framework. Within these limits there are wide varieties of topography, soil, and climate which have exerted important influences on the course of American history. On the eastern coast, between the ocean and the Appalachian mountain ranges, lies a coastal plain, relatively narrow in the North, but reaching a

Geographical
Setting

breadth of 150 miles or more in the South. West of the Appalachians and extending one thousand miles to the Rocky Mountains lies the Mississippi basin, level, well-watered, and much of it almost ideally adapted to human needs. Between the Rockies and the Sierra Nevada chain lies the Great Basin, and west of the Sierras the California valley. Most of this territory is within the limits of the temperate zone, and except for the region between the one hundredth meridian and the Rockies the rainfall is ample and sometimes abundant. In the beginning the land itself was unusually fertile, and even now, after years of wasteful farming, it is still capable of providing food for more millions than are likely ever to live here. Forest resources too were formerly abundant and some of the cut-over areas are now being restored. Few portions of the world have more generous deposits of mineral wealth, particularly coal, iron, and petroleum. Along the coast there was and still is an apparently inexhaustible supply of food fish.

The people whose activities constitute the history of this country were not natives but immigrants from Europe. These newcomers found the so-called Indians here and either used them for their own purposes, after the manner of the Spaniards in Mexico and South America, or drove them out or killed them off as the English did in what is now the United States. To be sure, the Indians contributed something, but surprisingly little, to American history. They introduced the Europeans to new agricultural products—of which the most important were beans, maize, potatoes, squashes, and tobacco—to a new game bird, the wild turkey, and to the buffalo or bison of the western plains. The English language received a few additions in the form of Indian words and our maps still carry some, but not many, Indian place names. Indian contributions to American history have been so slight that one is justified in suggesting that they might be omitted entirely without appreciably altering the main trend of development.

American history, as we use the term, began not with the Indians but with the arrival of the first Europeans. For that part of North America included in the United States, the significant part of history began with the coming of the English. As compared with the meager contributions of the Indians, the English brought a complex, well-developed civilization. Among other cultural traits they brought their language, both oral and written, and fastened it so firmly that later, non-English immigrants have never succeeded in displacing it. They brought the arts and crafts of agriculture, shipping, commerce, and primitive manufacturing. Along with these came the all-important institutions of government, judicial procedure, and law, still the bases of our democracy today. They also gave us our forms of religious worship. In this transit of a mature culture from the old world to the new are to be found the first major developments in American history.

Actually the processes by which these English institutions were established here were the real beginnings of American history, but there should be at least a mention of the origin of these institutions. English culture came from

Europe, and European culture was composed of numerous elements fused together at different times into beliefs, practices, and institutional behavior. The English language is a composite product derived from at least three different tongues: Germanic, Latin, and French. English religious beliefs came from the Near East and Europe, by way of the ancient Hebrews and Greeks, and they were then put into familiar form by the authorities of the medieval Catholic Church and by the Protestant reformers of the sixteenth century. Many of the basic principles of government and law had been contributed by the ancient Romans. The foundations of science and mathematics had been built by the Greeks and later by the Moslems from the East. Then, of course, the British added numerous contributions of their own. From these diverse origins came the civilization which was transplanted to the new environment in America.

European
Background

The history of western Europe during the three hundred years before 1492 deals for the most part with a recovery from the effects of feudal isolation and disorder. When Charlemagne's empire went to pieces in the ninth century, Europe was left to struggle with the forces of disintegration. Even the authority of government itself was divided and subdivided, so that every feudal lord was as good as a king, while every king had less authority than the president of a democratic republic today. Nor were the western Europeans left alone in their confusion. Invaders appeared from all points of the compass, thereby increasing the burden and the variety of problems to be solved. From the northeast came the pagan Slavs, at that time even less civilized than the Germans whom they tried to conquer. From the north, by way of the English Channel and the rivers emptying into the Atlantic, and even by way of the Mediterranean, came the Northmen, likewise pagans, though possessing within themselves remarkable powers of adaptability and adjustment. And as though this constant hammering on the northeast and the west were not enough, Saracens from the south were taking a hand in the general contest for plunder.

The product of this mixture of Carolingian disintegration and barbarian invasion was that curious social and political structure known as feudalism. Practically all traces of imperial power had disappeared, and not even the beginnings of the later national states could be seen. Authority was vested in and divided among the feudal lords, to use virtually as they saw fit. And they used it as barbarians are wont to use it, largely in fighting their equals and in exploiting their inferiors. Feudal warfare and serfdom were among the outstanding signs of the European culture of the day.

Feudal
Confusion

Under these conditions agriculture was reduced to its lowest terms, while commerce almost disappeared. For the peasant there was no incentive to raise a surplus for sale because there was no market for his produce, and with no money to spend, he was not interested in luxuries, either domestic or imported. As for the feudal lord, his standard of living was low and his tastes, if possible, were lower; consequently his attitude toward the merchant

was not one of encouragement. Those were the days of the robber barons. Traveling merchants were robbed without compunction; and when robbery was so easy, why take the trouble to purchase? Under these conditions commerce naturally failed to thrive.

From the eleventh to the fifteenth century western Europe was occupied, among other things, with growing out of the conditions just described. In the course of time certain feudal kings, such as Henry II of England and Philip Augustus of France, found themselves in a better position than the majority of their opponents; as their power increased, feudal power began to weaken. By the fifteenth century signs of the modern national states were in evidence not only in the two sections named, but in Portugal and Spain as well. And even in Italy, where feudal confusion and rivalry had gone beyond all bounds, the rise of a number of city states foretold the doom of the feudal baron. By various means, Europe gradually learned not only how to restore order, but how to preserve at least its semblance.

What was cause and what was effect during these years of growth is not clear, but signs of change were visible in the field of government and in almost every other direction. In France, Italy, Germany, and England universities were at work training officials for the Church and the State, and incidentally scholars who were interested in the propagation of what came to be called the new learning. New dialects, the products of a curious development of ancient vernacular Latin, were gradually achieving the dignity of real languages, thus providing the means for the rise of a new body of literature.

Even the Church, the oldest, the most durable, and apparently the most powerful of all European institutions, could not escape the effects of the ferment at work. From the thirteenth century on, the enforcement of uniformity became steadily more difficult and the problem of heresy always more acute. In addition to these difficulties, the rise of the national states, with their theories of absolute monarchy, constituted a new and ever more powerful threat to the absolutism of the Holy See.

These signs of a new era were important enough in themselves, but even these were overshadowed, if that were possible, by the commercial development during this same period. Once they could count on a reasonable guarantee of safety for their property and their lives, the merchants were ready to do their part in promoting better times. Artisans in the towns found steadily growing markets for their products, while the peasants were encouraged to raise food for the towns. As for the feudal lords, they were introduced to luxuries in the way of food and apparel of which their immediate ancestors had never dreamed.

Whether the crusades were the cause of the commercial expansion or simply a prominent symptom of the underlying forces at work is not entirely clear and in fact it does not greatly matter. Causes or results, these expeditions to the Holy Land furnish the setting and the background for a

survey of medieval commerce. During the first three crusades the religious element perhaps was predominant, but the fourth, which began in 1202, although it was started by Pope Innocent III, was really conducted by the Venetian merchants. The crusaders in that expedition aimed at Egypt as a base of operations against the Holy Land. The first conquests, however, were Zara on the Dalmatian coast, an old trade rival of Venice, and Constantinople, one of the keys to commerce with the Orient. Incidentally, the Venetians drove a good bargain with the crusaders in the matter of supplies and transportation. All the crusades provided business opportunities for the Mediterranean merchants. Not only could they furnish transportation for troops and supplies for the armies, but they themselves were put in touch with Eastern commerce. These connections, once established, were not easily lost.

Effects of
the Crusade

Then too, the crusades civilized the crusaders themselves. In the East, uncouth feudal lords with no knowledge beyond that required to wield a battle ax came in contact with culture of a high order. Men who had never realized even the elemental necessity of a regular bath were suddenly introduced to some of the decencies of human existence. Moreover, they acquired new tastes in food and new fashions in dress, along with an appreciation of the finer weapons produced outside of Europe. All these acquisitions they carried back home and then called upon the merchants to keep their needs and wants supplied.

For the first time since the last days of the Roman Empire, western Europe began to buy, in large quantities, the finer products of the East: silk and linen, tapestries and rugs, jewels and precious stones. Its inhabitants also learned that weaknesses in the quality and shortcomings in the preparation of food could be daintily and successfully concealed by the use of spices, and so they bought and consumed all the cloves, nutmeg, cinnamon, mace, and above all else pepper which the merchants could provide.

Trade with
the East

The sources of supply of these products range from China and India to the Spice Islands in the Far East, and from the Levant to Egypt in the Near East. Few of the European merchants actually visited these regions. Their contacts were with the caravan drivers who plied their trade over parts of the age-old commercial routes to the East. There were three of these. One, starting from Cairo, led to the Indian Ocean. The second, or middle route, linked Damascus and Antioch with Bagdad, and all three cities with India by way of the Tigris River and the Persian Gulf. The northern route led from Constantinople over the Black and Caspian Sea region and thence almost directly eastward to China. Under the system then in force, Egypt and Asia Minor were the clearinghouses for European commodities going east, and for Eastern commodities destined for Europe. The European agents for this trade were certain Mediterranean cities, among which Genoa and Venice stand out pre-eminently. Venice, in particular, was the focus for

those trade lines coming down through the Alpine passes from Central Europe and was likewise the connecting link with the East.

Commerce of this sort stimulated the curiosity of merchants and prospective travelers, and the steady expansion of trade was accompanied by an increasing knowledge of geography. Beazley, in his fascinating *Dawn of Modern Geography*, has shown how eager were the thirteenth-century Europeans to find out more about the extent and the possibilities of the world in which they were living. The discovery of America by the Europeans was preceded by their discovery of the East, another accomplishment of the busy thirteenth century. Before 1250 Europe was almost as ignorant of China and India as she was of North and South America. About that time, however, circumstances brought the East and the West together, in a connection that lasted for two centuries or more. About the year 1220 the Mongols, Tartar tribes from northern Asia, began to extend their course of conquests beyond the range of China and Asia. Even before the death of Jenghiz Khan (1227) they had reached the borders of Europe, and by the time their empire was complete, it ranged from Central Europe on the west to China on the east and to India on the south. The greater part of Russia remained in their hands until 1480.

Although at first these Tartars showed the bloodthirsty characteristics of barbaric conquerors, their rule became steadily more mild and beneficent. Moreover, although they were non-Christian, they were likewise non-Mohammedan in their religion and were well disposed toward Europe. With everything under their control eastward from Russia and the Balkans, they offered the best facilities which the times afforded for trade between Europe and the East. While not extensive, travel between the two continents was not at all uncommon, and even before 1270 there are numerous reports of European visitors to China: priests, merchants, and mere curiosity-seekers and adventurers. The most famous of these were the Polo brothers—Venetian merchants—especially the young Marco. They spent about twenty years in the service of the Grand Khan in China and then returned to Venice about 1295, bringing with them tales of wealth and splendor that made even the rich Venetians gasp with wonder and envy. To give point to their stories, for these were by no means the product of vivid imagination alone, the returned travelers ripped open the seams of their garments and produced tangible evidence of the fortunes they had made and kept. The sight of that array of jewels turned ambitions toward the East. Even Venice, the queen of European towns, was, so Marco Polo said, a mere collection of hovels in-comparison with the splendid cities of China; as for gold, it could be had for the taking by those willing to go after it.

These reports of wealth, waiting to be carried to Europe, were not the only significant parts of the message of the Polos. They brought with them information concerning the prices of those much-to-be-desired Far Eastern commodities, and the contrast between Asiatic and European price levels

Mongol
Conquest

Marco Polo

was an additional spur to every ambitious merchant. The caravan drivers of Arabia and the Near East were the real profiteers of the day, charging inordinately for their services in transporting goods. If European merchants could go to the East and buy their wares directly, they could avoid these high carrying fees. Simple as this point appears now, it was a long time before traders were in a position to profit from it. Eastern goods still came to Europe by way of the caravans, the Mediterranean, and Italy, and Genoa and Venice enjoyed a profitable monopoly.

PORTUGAL AND SPAIN

But two hundred years and more is a long time, as affairs in this world go, for a monopoly to last, and before the decline of Venice really started, the first signs of energetic competition were beginning to appear. From time immemorial the Mediterranean had been the great highway of maritime trade, so much so that even the Atlantic ports of Europe were connected with the Mediterranean and the East, rather than with the unknown Southwest and West. But the gradual growth of Europe was producing new states in the Iberian peninsula, and in them were to be found both rulers and sailors eager to try their fortunes on the little-used Atlantic. By the beginning of the fifteenth century Portugal was already recognized as a rising maritime nation, and before 1500 Spain had taken the momentous step which made Portuguese achievements pale into insignificance. The primary aim of these Atlantic states was to secure some of the Eastern trade for themselves, an aim which Portugal, at least, achieved. And in the desire not to be outdone by her smaller neighbor, Spain accidentally made possible the discovery of America. Rivalry over Eastern trade therefore brought the Europeans into touch with a new world.

Rise of
Portugal

In that profitable intercourse with the East which had made Venice the foremost commercial city of southern Europe, Portugal had gained but little. Yet her natural interests drew her toward the sea. Portuguese ports afforded facilities for commerce and her citizens were in no way inferior to the Italians. Moreover, her possibilities for development in the Iberian peninsula had been closed by the spectacular rise of Castile, so that if growth was to come at all, it must come by way of the sea. She could, however, hardly expect to participate extensively in Mediterranean commerce, because she faced upon the Atlantic, directly away from the established lines of trade.

Barred by circumstances from expansion in Europe and by location from any great Mediterranean trade, Portugal turned her attention to Africa. Early in the fifteenth century the Portuguese government succeeded in establishing a foothold in the northwestern section of the Dark Continent, and these military successes were planned as the prelude to commercial activity. Caravans traveling northward from the unknown interior brought tales of wealth, less glowing to be sure than those from the Far East, but

African Trade

full of promise for enterprising merchants. Besides stories they brought samples of the wealth itself, gold, ivory, and Negro slaves, all of which were to be had at absurdly low prices if one could penetrate sufficiently far to the south. But overland trade was expensive, as the customers of these caravan drivers had ample opportunity to learn. Why not, so the Portuguese began to ask themselves, attempt to tap this trade at its source, not by means of caravans but more directly by sea?

Fortunately Portugal had in the person of the king's brother, Prince Henry the Navigator, a man with both the enthusiasm and the means to make the trial. Actively interested in the development of his country and filled with the genuine zeal of the modern promoter, the prince devoted his life to fathoming the possibilities of African trade. In some respects he had the qualities of the modern scientist, especially in his careful preparations and in his unbounded thirst for knowledge. Although he was not an explorer himself, he made exploration his lifework. Freed from the burden of earning a living because he belonged to the royal house, untied by family responsibilities because he was a bachelor, and saved from the cares of state because he was a younger son, Henry had the making of his career in his own hands.

Prince Henry,
the Navigator

At Sagres on Cape St. Vincent, the prince established a school for the study of geography and navigation. Because of his fame he was able to secure as students or teachers some of the best-known sailors and geographers in Europe. And these enterprising leaders were not satisfied merely to pore over old maps. They were engaged in making new maps and charts of their own and in trying out new designs in shipbuilding. As a result of their investigations and experiments, every new expedition which went out was better equipped than its predecessor.

Before 1450 the Portuguese had planted colonies in the Madeira and Cape Verde Islands, and what was more to the point for them, they had opened up trade with Central Africa by way of the Atlantic coast. The actual time of Henry's work lay between 1418 and 1460, but the impetus which he gave to African exploration continued long after his death. By 1471 captains trained under him had reached the equator. Fifteen years later Bartholomew Diaz rounded the southern end of Africa, which he called the Cape of Good Hope because it opened the way to the much-desired East. In 1498 Vasco da Gama reached the goal itself and by so doing demonstrated not only the existence but the entire practicability of an all-sea connection with the Indies.

Vasco da
Gama

The significance of that achievement is sometimes overlooked. It was something, of course, to discover a new route. From the Portuguese standpoint it was something more to have established water connections with the storehouse of Eastern wealth and to be able to make such drastic price cuts in the spice business that the European world came to them to buy. But it comes to few men, as it came to Vasco da Gama, to upset the established routes of untold centuries, to make what had been the highway of maritime commerce a mere tributary to infinitely greater lines of trade, and to give

the world two broad oceans to travel over, in place of a mere inland sea. When European traders began to use the Atlantic and Indian Oceans and before long the Pacific as well, Venetian prosperity and Venetian greatness steadily ebbed away. At the same time, the growing nations of Europe entered upon their long rivalry over possessions in the new world.

Portugal was not left alone and unchallenged to enjoy her fame and her growing wealth. Before the end of the fifteenth century the Spanish government had practically completed its task of unifying and consolidating its domain. While the two sovereigns, Ferdinand and Isabella, were still flushed with enthusiasm over the success of their work, the discoveries of the Portuguese pointed the way to even greater achievements. And yet it may well be doubted whether they would have seen this opportunity had it not been for the stubborn persistence of a Genoese sailor.

Although Christopher Columbus was born in Genoa, he probably did not come of Italian parentage, but of Spanish. There is no record to show that he ever used the Italian language and much to show that he regularly spoke and wrote Spanish. From his early youth Columbus had been interested in maps and in navigation. He carried this interest further as a student in Prince Henry's school, and he married the daughter of one of Prince Henry's captains. He was blessed with an original mind which enabled him to work toward new theories, unhampered by fixed notions of the past. And, granted that his premises had any soundness in them, his idea was so simple as to seem almost absurd. Why not beat the Portuguese, as the Portuguese had beaten the Venetians, by using the sea? And why not improve upon the Portuguese course by sailing in a straight line toward the west, and so reach the Far East by the shortest, most direct route? By the end of the fifteenth century there was scientific evidence available to prove that the earth was spherical. Columbus had difficulty in convincing wealthy patrons of the soundness of his plan and without financial support he was helpless. But at last the Spanish sovereigns, Ferdinand and Isabella, gave him the money which he needed. They gave him three ships for his voyage of discovery and also a commission defining his authority. He was made vice-admiral and governor of the lands that he might find. If he achieved the success which he wanted, he was to have one-tenth of all precious metal secured. Not a bad bargain, provided he could actually reach the Indies.

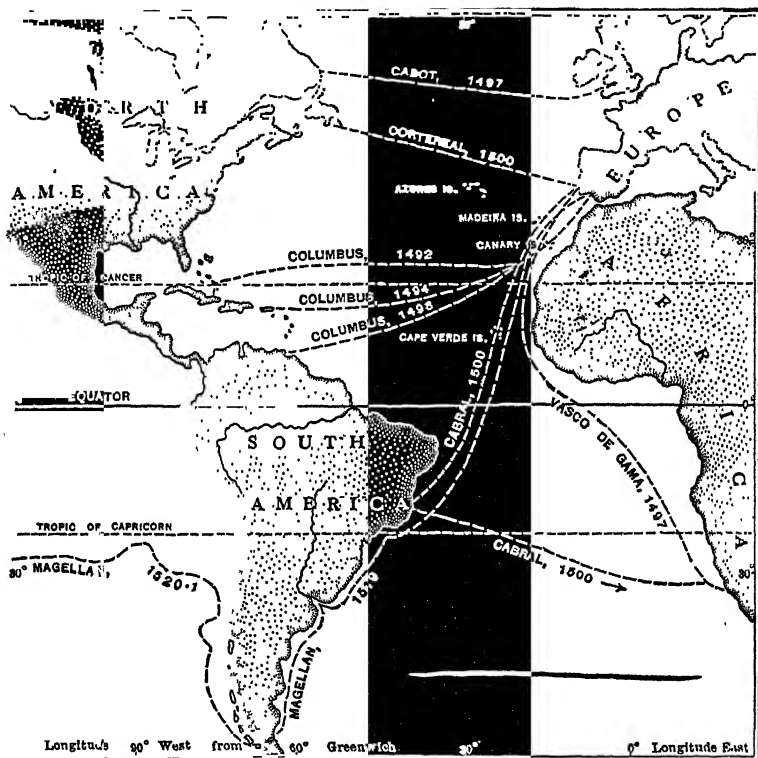
Columbus

But neither the first, nor any one of the three following voyages which he made, brought him wealth or immediate fame. Whatever he may have found, he certainly did not reach the Indies and his employers were as much disgusted as he was disappointed. As a matter of fact, his real achievement was greater than da Gama's. He had, without realizing it, brought Europe into touch with a whole continent hitherto unknown. Once the Spanish authorities realized the magnitude of this discovery they prepared to take commercial advantage of it.

In 1493, five years before Vasco da Gama reached India, the Spanish

Line of
Demarcation

sovereigns asked the Pope, who as head of the Christian Church was an authority in international affairs, to approve their claim to the lands reached by Columbus. He did so, giving them not only what had already been discovered, but also whatever lands the Spaniards might find in the future, provided no other Christian power had a prior right to them. In another decree, the Pope fixed upon a longitudinal line one hundred leagues west



MAP 2. THE ROUTES OF THE DISCOVERERS.

of the Azores beyond which other governments should not be allowed to establish claims. A year later Portugal and Spain agreed to accept this principle of a papal division of the recently discovered territories. Spain took the lands to the west of the "line of demarcation," Portugal those to the east. It may be added, parenthetically, that the Catholic sovereigns of England and France did not recognize these arrangements as universally binding.

When the line was drawn, neither party to the agreement could foresee that Portugal would acquire title to any part of America. But in the year 1500 an interesting accident carried a Portuguese captain to the New World. Cabral, starting on a voyage to India by way of the route around Africa, ran into storms which drove him westward, far out of his course. Much to

his surprise he came to the eastern part of South America. Then the Portuguese discovered that this region, which Cabral and his men called Brazil, lay to the east of the "line of demarcation." Brazil, therefore, became a Portuguese colony.

As voyage after voyage brought additional knowledge of geography, map-makers were able to define more and more clearly the outlines of these newly discovered lands. Then there arose the question of a name. Rightfully they should have been called "Columbia," because Columbus was the actual discoverer of both the West Indies and of the mainland of South America. A combination of accident and trickery, however, deprived him of his rightful honor. Columbus's third voyage, in the course of which he found the new continent, attracted little attention at the time and no account of it was published until 1508. In 1501 Amerigo Vespucci, a Florentine, visited Brazil. His own account of this trip, published in 1503, described the region as a New World. To give himself credit for the discovery of this region, the crafty Florentine consciously and purposely dated his voyage back to 1499, thus making it appear that he landed in Brazil even before Cabral's voyage in 1500. In 1507 a German geographer, Martin Waldseemüller, published a book in which he gave the name America to the South American continent in honor, as he said, of its discoverer. He was not aware of the deception which had been perpetrated. Other geographers followed his example and the name America, first applied to the southern continent, was soon attached to the whole new western world.

Why
"America"?

At first the Spaniards were not particularly pleased with their own discoveries. They wanted spices and gold, but so far they had found neither. Then they sent out new expeditions to see if they could find a way around this undesired land that stood between them and their goal. These efforts at discovery at least brought new geographical knowledge. In 1513 Balboa crossed the Isthmus of Panama and saw the Pacific Ocean; in the same year Ponce de León, hunting for the mythical fountain of youth, explored parts of Florida. Then in 1519, Ferdinand Magellan, a Portuguese in the service of Spain, began the long voyage which led in turn to the discovery of the southern passage to the Pacific by way of Cape Horn, to the death of the explorer himself in the Philippine Islands, and to the circumnavigation of the globe by his surviving companions. Because of these and other discoveries, the maps of America became clearer and more accurate.

Spanish
Explorers

Important as these geographical discoveries were, they represented only a part of the Spanish achievements. Hernando Cortés, the greatest of all Spanish conquerors, took possession of Mexico (1519-1521) and so gave Spain control of the accumulated riches of the civilized Aztecs and of their valuable gold and silver mines. Less than ten years later Pizarro conquered the equally wealthy Incas of Peru. By 1600 the amount of gold in Europe had been doubled and the quantity of silver multiplied ten times. Thus was Spain rewarded for backing Columbus on his first voyage.

With so much evidence of the material value of their new possessions, the Spaniards worked energetically to increase still further their wealth and their knowledge. By the end of the sixteenth century they had explored the coasts of North America on the Atlantic side from Cape Horn to Nova Scotia, and from the Straits of Magellan to Oregon on the Pacific. More than this, they made their way across the southern part of what is now the United States, from Florida and Georgia to the Mississippi, from the Gulf of Mexico to California, and from Mexico as far north as Colorado and Kansas.

The Spanish
Empire

Spanish exploration and conquest was followed by the establishment of a great Spanish empire, including all of South America except Brazil, most of Central America, Mexico and the southern part of the present United States, and some of the islands in the West Indies. By 1574, slightly more than fifty years after the establishment of Spanish power in Mexico, the empire of Philip II had in the new world about two hundred cities and towns, exclusive of mining camps. The city of Mexico was a thriving metropolis, with an Indian population running up, according to some estimates, to 150,000, while the Spaniards themselves numbered 15,000. As late as 1775, nearly 150 years after its founding, Boston had hardly passed the 30,000 mark in population. And the physical growth of Mexico City was even more imposing. Its public buildings compared favorably with those in Spain, and the list included hospitals, churches, monasteries, high schools, and a university. By 1600 there were 200,000 Spaniards in America, governing and exploiting twenty-five times that number of Indians.

Spanish-
American
Culture

The Spanish colonial empire differed from the English in many respects, but in none was the contrast more striking than in the Indian policies of the two powers. The success of Anglo-Saxon colonization seemed to make necessary, if it did not depend upon, the removal or the extermination of the natives. The Spanish system, on the other hand, resulted not only in the retention of the Indians, but in many cases in the establishment among them of Spanish civilization. Under the direction of Spanish officials the Spanish form of government was introduced. With the help of these same agents and of the Jesuit priests, the Spanish language and the Catholic religion were made to prevail widely in the new Spanish empire. At the same time it is necessary to remember that the mode of life and the standard of living of the Indians, particularly in rural Mexico, underwent comparatively few changes.

In working for the conversion of the Indians and for the spiritual welfare of the Spanish colonists, the Jesuits relied upon the good results of a sound educational system. By the middle of the sixteenth century plans were completed for the establishment of two universities in America, one at Mexico City, the other at Lima, Peru. The first was opened in 1554. Both became thriving institutions. By 1700, the university at Lima had two thousand students. They were doing excellent work in anthropology, linguistics,

geography, and history. In the words of E. G. Bourne, "In number and range of studies, and standard of attainments by the officers, they surpassed anything existing in English America until the nineteenth century."

The Spaniards also brought over the agricultural products with which they had long been familiar at home. The list included wheat, rice, beans, almonds, cherries, walnuts, quinces, oranges, and sugar cane. They introduced the domesticated animals of Europe—horses, mules, cattle, and poultry. Before the arrival of the Spaniards the Indians had no beasts of burden. In all these respects, from their own point of view, the Spaniards built solidly, and they were rewarded with an empire which lasted unbroken for nearly three hundred years.

Spanish
Commerce

During the sixteenth and seventeenth centuries European governments worked out their economic regulations on a narrow basis of nationalistic monopoly. The Spaniards applied this principle to their colonial trade. Commerce with her possessions was so controlled as to exclude not only all foreigners and all Spanish-Americans, but also a large number of Spanish merchants. In this system nothing was left to chance. Once, and only once, every year a great fleet of Spanish merchant vessels, under heavy convoy, sailed from Spain to the New World. When they had crossed the Atlantic the fleet divided; some of the vessels went to Vera Cruz, the others to Porto Bello. On this outward voyage were carried the European and Eastern commodities which the settlers in New Spain might need, or rather all they were allowed to have, for a year. Then Spanish-American goods—gold, silver, and tropical products—were collected at these two ports in time for the return trip. The two parts of the fleet joined again at Havana and from there, again under convoy, proceeded back to Spain. For 150 years this iron-clad system was in force, and no other trade could legally be carried on. The arrangements for both outward and homecoming voyages, down to the most minute detail, were regulated by the Spanish government.

Spanish activity in the New World, particularly in North America, has had important and lasting influence on the history of the United States. The danger of Spanish aggression in the South helps to explain the establishment of the colony of Georgia. During the American Revolution Spanish leaders tried to prevent the United States from occupying any part of the Mississippi valley. Subsequently Spanish intrigue in the South and Southwest was a source of almost continuous trouble to the new American government. When the Latin-American nations became independent, their relations with the United States proved to be important in shaping American policy. And as the United States expanded, former Spanish-American territory and Spanish-speaking inhabitants were brought within the jurisdiction of this country. From the latter part of the sixteenth century to the present day there has never been a time when this Spanish or Latin-American influence could be ignored.

Spanish
Influence

English Interests in the New World

THE ENGLISH BACKGROUND

WHEN Spain and Portugal divided the newly discovered world between themselves, they gave little thought to other continental governments, and perhaps none at all to England. But the new king of England, Henry VII, was ready to indulge his interest in exploration, provided it could be done at little cost. In 1497 he sent a Genoese sailor, John Cabot, under an English commission upon a voyage of discovery. Cabot came upon the continent of North America, thereby securing to his employer a title to nearly half the western hemisphere. For this service the frugal Tudor bestowed upon the explorer the sum of £10, the equivalent of perhaps \$400 in modern purchasing power. For this investment Henry evidently expected something more tangible than a title, and when no signs of return appeared, this prince would risk no more on any profitless transatlantic schemes. What his self-indulgent son, Henry VIII, would have done in North America had he not been disturbed by other interests, was never made known. As it was, he got himself so deeply involved in theological controversy, ecclesiastical reorganization, and matrimonial troubles that the new world made little appeal to him.

But whatever may be alleged against Henry VII for his downright stinginess, or against Henry VIII for his extravagances, there is no doubt that these Tudor kings laid the foundations of English prosperity and of English maritime greatness. Henry VII had been interested in shipbuilding as well as in exploration, even going so far as to offer bounties for the construction of large vessels. Moreover, he built the first dry dock in England, at Portsmouth. Henry VIII displayed an even livelier concern in English sea power. In 1545 he established the Navy Board, and he also founded the training school for pilots, still in existence, known as Trinity House. These proceedings explain where the seamen of the next generation, the famous Elizabethan sea-dogs, got their start.

English economic development during the Tudor period differed radically from that of Spain. Spanish wealth depended, not on the cultivation of Spanish resources, but on the systematic exploitation of the new world. Spain was receiving much and, from the economic standpoint, giving little. In the case of England, on the other hand, colonial development was preceded, in fact really forced, by the remarkable industrial growth and com-

mercial expansion within the nation itself. At the same time an important change in rural England from agriculture to sheep raising, created a large class of unemployed. Both groups, merchants and the unemployed, were interested in colonies.

By the middle of Elizabeth's reign, progress was evident in the whole range of manufacturing. Most of the older crafts were enjoying a much larger market. Builders, for example, were kept busy in supplying the demands for new dwellings. This was the transitional period in customs as well as manners, and every man, merchant, or noble, who could afford it was getting a new house. Artisans in the textile trades were busy trying to provide the varied and expensive fabrics which fashion required the social leaders to wear. Both men and women were equally anxious to move just ahead of the rapidly changing styles, and in their efforts to beautify their persons, they called upon the lace makers and jewelers to aid the tailors. In addition to the steadily increasing activity in the old trades, new ones were becoming more important. The discovery of the art of printing brought into being a group of crafts. The printers were busy, and so too were the paper makers, bookbinders, press makers and type founders. Map makers and instrument makers put the new discoveries of science at the disposal of merchants and sailors.

English
Industry

Industrial development is partly the cause, and partly the result, of increasing activity on the part of the merchants, those who buy and sell what others produce. As their trade increased, the merchants began to save money. This accumulating capital made possible even larger and more extensive business operations and connections, as well as the rise of a class of promoters, men who were on the lookout for new chances to make money. Both manufacturers and merchants became interested in wider markets. This wave of prosperity was also due in part to the increasing volume of money in Europe. The gold and silver which the Spaniards imported from America could not be confined within the boundaries of Spain: they had to pay it out for supplies. Merchants and nobles in other countries got some of it, and used it to buy goods. When people want to buy, any increase in the amount of money available encourages business activity. Men who made more money than they needed for direct living expenses and for amusement put their surplus to work. They invested it in manufacturing or in trade and so increased their profits. Then the religious difficulties in continental Europe drove many skilled workmen from their own countries to England, where, amid growing commercial activity, they found employment. Others came under direct invitations from English manufacturers, and England profited from their knowledge. Many of these exiles from the continent were familiar with the art of weaving linen, silk, and other fine fabrics.

Commercial
Interests

In order to carry on the expanding trade to the best advantage merchants formed joint-stock companies in which each member invested what he could afford and from which, when there were profits, he drew a share in propor-

tion to his investment. These companies were given charters from the government, assuring them a monopoly of the trade with some particular part of the world. The oldest of these companies, the Merchants Adventurers, had been organized for the purpose of handling the sale of English woolen cloth in the Netherlands. By the time of Queen Elizabeth, the Merchants Adventurers were taking an active part in a general export trade. Under the auspices of organized merchants Englishmen went abroad, not only to sell British products, but to buy goods for the English markets. Other companies were organized to trade with the Baltic States, Russia, Turkey, Morocco, Africa, and the Far East. The profits of these companies averaged, not 6 or 10 per cent, which would be regarded as a good return now, but from 100 to 400 per cent or even more. In 1622, one shipment of goods from India which cost £386,000 sold in England for £1,915,000.

During part of the sixteenth century English progress continued without bringing on any conflict with the rapidly growing Spanish empire. But sooner or later the lines of development of these two nations were bound to cross, particularly so if the British should presume to encroach upon Spanish trade or Spanish colonial possessions. In addition to possible rivalry over imperial and economic interests, a growing contest over religion might put an end to English peace. Spain was still a Catholic country and the Spanish king, Philip II, regarded himself as the great lay champion of his faith. He had been the husband of Elizabeth's predecessor, Mary Tudor, so he had some interest in England. He was prepared, if he could, to overthrow Protestantism wherever it prevailed, and England seemed to demand special efforts on his part. No Spaniard could forget the unmerited treatment which Catherine of Aragon had received at the hands of Henry VIII and no Catholic could forgive the deliberate repudiation of papal authority which Elizabeth had sanctioned and approved. There had been cause enough to act before 1570, when Elizabeth was formally excommunicated by the Pope; after that, it became a religious duty to deprive her of her throne if not of her life. Philip therefore was ready to encourage plots against the queen in order to give her place to the more orthodox Mary Stuart. In defending their religion, Englishmen were well aware that they were defending not only their ruler but their whole system of government. The underlying issues in the contest between England and Spain were therefore commercial interests, which involved colonies and sea power, Protestantism, and national independence.

For fully twenty years before England and Spain went to war, the feeling of each nation toward the other grew steadily more bitter, while minor conflicts in various parts of the world foretold the approach of the crisis. Among these early manifestations of increasing hostility were the activities of the Elizabethan seamen. These daring adventurers, of whom John Hawkins and Francis Drake were the most famous, set out deliberately to defy the power of Spain and to seek their fortunes in the forbidden trade of her empire.

Neither the Spanish monopoly nor the Spanish navy had any terrors for them, and "singeing the beard" of Philip II became their favorite pastime.

Sir John Hawkins specialized in the African slave trade and he found his market in the forbidden area of Spanish America. In 1562 he fitted out a small expedition to buy Negro slaves in Africa for sale to Spanish planters in the West Indies. Spanish law prohibited such business; nevertheless, Hawkins disposed of his first cargo advantageously in Santo Domingo. In spite of official Spanish protests, Hawkins made repeated visits to the West Indies, clearing a profit of sixty per cent or more on his investment. The planters wanted slaves, law or no law, and Hawkins was glad to risk official displeasure to help the planters and to increase his own fortune. Both Hawkins and his customers, however, had to keep an eye open for the authorities because the local officials were sometimes more interested in their standing at home than in the economic problems of their subjects. But Hawkins had a ready wit and a resourceful mind. His favorite trick was to make a secret arrangement with his prospective customers first, and then to make an open threat to bombard the colony out of existence unless it would buy his slaves. Thus the colonists could get their Negroes and answer the complaints of inquisitive officials.

Hawkins's profession has long since been condemned and abandoned, but to his own age he was no reprobate. On the contrary, he considered himself a philanthropist, conferring benefits upon both planter and slave. The planter had to have labor or perish and it was surely a meritorious act to keep him alive. As for the Negro, left to himself in pagan Africa, he could never be brought into contact with the blessings of civilization. Was not life in a Spanish colony, even for a slave, worth infinitely more than endless savagery? Hawkins was proud of his work, and he considered his high percentage of profit as evidence of divine approval. The valiant slave trader was withal a man of deep, sincere piety. His favorite slave ship he named *The Jesus*, and he could record in his journal how, just as he was about to fall into the hands of the Spaniards, "Almighty God, who never suffereth his elect to perish, sent us the ordinary breeze."

Francis Drake, a young relative of Hawkins, had nothing in particular to sell to the Spaniards, but he was fired by a holy hatred of their faith, as well as by a deep-seated hunger for vengeance. As a youth he had been sailing in Hawkins's service when the Spaniards nearly succeeded in putting an end to both their promising careers. Beginning in 1572, and using the West Indies as a base of supplies, Drake embarked upon a spectacular career. He seized Spanish ships, burned Spanish colonial towns, and actually robbed a Spanish mule train bringing gold and silver from Peru to the Atlantic coast. On the way home he captured a Spanish treasure ship. In 1577, bent on more plunder, Drake took out an imposing fleet of five ships manned by a force of 150 men. This time he passed through the Straits of Magellan, losing all but one ship. With this single vessel he sailed north along the

Francis Drake

western coast of South America, robbing the Spaniards as he went. News traveled so slowly in those days that he could move from port to port before his next victims had any warning that he was in their part of the world. Afraid to return home by the same route because of the danger of falling into Spanish hands, he struck boldly across the Pacific. After an absence of two years, he reached England by way of the Far East. His cargo was worth £800,000.

The audacity of these Englishmen compels admiration even now and it did then, everywhere but in Spain. When the Spanish ambassador complained bitterly to Queen Elizabeth, she assured him that she knew nothing of these men. But when Drake returned, the queen herself conferred knighthood upon him and she seems to have been well taken care of in the division of his spoils. The exploits of these enterprising seamen and the attitude of the virgin queen toward them were not the only grievances which Philip could list in his indictment of England. When his Dutch subjects rebelled against Spanish rule, Elizabeth sent them secret encouragement, and subsequently open help in money and men.

While Drake was threatening the security of the Spaniards on the sea, another famous Englishman, Sir Walter Raleigh, proposed to break down Spanish claims on land. In 1584, under authority of a charter granted by the queen, he sent a small exploring expedition to North America. In July, 1584, Raleigh's agents entered Pamlico Sound and landed on Roanoke Island, now a part of North Carolina. These Englishmen were most enthusiastic over their discoveries and their report convinced Raleigh that they had found the place for his colony. Queen Elizabeth named the country Virginia, the Land of the Virgin Queen.

In the following year, 1585, Raleigh sent Captain Ralph Lane to this same region to decide upon the proper site for the colony. Then in May, 1587, Raleigh sent out a real colonizing expedition, consisting of three ships and 150 colonists. This group included 25 women and children. The governor and leader was John White, artist and explorer. He was so sure of success that he brought his daughter, Eleanor Dare, and her husband as colonists. Not long after their arrival, the number of colonists was increased by one: Virginia Dare, the first child of English parents born in North America. The colony was started on Roanoke Island.

Toward the end of the summer White returned to England for supplies. Because of growing trouble with Spain he was unable to return until 1591. When he came the colonists had disappeared. Their cabins were still there, but these and a single word, "Croatan," carved on a tree were all that remained of the settlement. The fate of the colonists still remains a mystery. Raleigh spent £40,000 without founding a permanent settlement, but his money was not thrown away. His example inspired others to undertake the work of colonization, and once the troubles with Spain were over, England acquired a real hold in North America.

Unsuccessful as it was, this attempt to violate the Spanish claim to North America was another goad to Philip, already infuriated over the commercial situation. Then, when Elizabeth ordered the execution of Mary Stuart, Philip decided that there was nothing left but the appeal to force. The only way that his commercial structure could be saved was to conquer England; then, and only then, could Philip put a stop to her continued attacks. If he won, he would save his own empire and deal a crushing blow to Protestantism.

War with
Spain

When the war came, it found Elizabeth in an enviable position, sure of the united support of the whole nation. Every merchant was aware of the advantages to be derived from Spanish defeat. Parliament, which represented both the merchants and the country gentry, was in full sympathy with the queen. The nobles, including even the Catholics, gave their support, because they resented Philip's threat to English independence.

The most spectacular part of the war came in the beginning. Philip planned to overwhelm England with a single, crushing blow, and to that end he organized the great Armada. He mobilized a fleet of 130 vessels, with a total force of thirty thousand men. Over half of these were soldiers, and the fleet carried the necessary material for a successful war on land, including even horses, mules, and carts—supplies not ordinarily used in naval warfare.

Spanish
Armada

Philip underestimated the strength of his foes. He expected that his own shores at least would be safe from attack, but even before the Armada left port, Sir Francis Drake sailed into the harbor at Cadiz, destroyed some of the Spanish ships, and captured Spanish treasure. Philip counted on an English people divided by religious controversy, but however much they might quarrel among themselves, Protestants and Catholics stood together against the foreign danger. He counted on the superior power of both the Spanish army and the Spanish navy. The military forces never had a chance because they could not get ashore. As for the navy, the English ships under the command of Lord Howard of Effingham, Sir John Hawkins, and Sir Francis Drake proved more seaworthy and were better handled than the Spanish galleons. The English guns were better and their gunners more accurate than the Spanish. Even the elements fought against Spain. To the disturbing currents of the English Channel, never easy for any but the best of pilots, there were added unfavorable winds and severe storms. The Armada was almost annihilated. Two-thirds of the ships were wrecked, and nearly three-quarters of the men were killed. A few vessels straggled back to Spain, by way of northern Ireland, but these had lost all effectiveness as fighting units. The English lost not a single ship and only sixty men.

The destruction of Spanish ships and men could easily have been made good, but not so the loss in pride and morale. Spanish sea power was broken. By 1591 the English had captured more than eight hundred Spanish ships, and five years later Lord Howard captured and plundered Cadiz itself, the principal Spanish seaport on the Atlantic. This succession of defeats did

not mark the end of the Spanish empire, which lasted for two hundred years more, but it left the Spanish treasury bankrupt and it put a stop to Spanish expansion. Since that time the history of Spain has been one of decline.

Factors in
English
Colonization

The Anglo-Spanish war ended in 1604. Two years later a group of enterprising Englishmen formulated plans which led to the first permanent English settlement in North America. In doing so they were taking advantage of those conditions and circumstances which combined to encourage colonization. First were the financial resources of the merchants, resources which had been accumulating during a century or more of commercial prosperity. British traders were well acquainted with the record of Spanish colonial development and they looked forward to equally gratifying returns on their own investments. They were willing to risk their fortunes in the hope of making larger ones, and their help was essential. It cost money to hire ships, provide food and supplies, and to pay the costs of transporting colonists and their goods to the New World. The government might have assumed the responsibility and the risk, as the Spanish authorities had done, but the English way was different. Englishmen preferred to make colonizing a matter of private enterprise and private profit rather than an official project. At the same time, these British capitalists counted on the government to provide military and naval protection for the colonies and their inhabitants. Thanks to the victory over Spain, the government was in a position to meet this demand.

Agricultural
Depression

At the opening of the seventeenth century England had a large class of sufferers from a prolonged economic depression. They were interested in colonies because of the chance to make a better living. Their economic difficulties were the results of a change in the English farming system. Down to the fifteenth century the small farmers, whether owners or tenants, raised wheat, horses, cattle, and sheep, thus producing what they needed for their own families, and possibly a surplus for sale. But by the sixteenth century sheep raising had largely taken the place of general farming because the large landholders found that they could make more money from wool and meat than from crops. One saving was effected by the dismissal of tenant farmers who were no longer needed to till the soil. So politically powerful were the large landowners and the woolen manufacturers who sided with them, that they were even allowed to take over the common lands on which the farmers had pastured their live stock, and turn these into pasture land for sheep. Since the care of sheep required little labor, this policy left thousands of farmers and farm laborers with no means of support. Sometimes the inhabitants of a whole village had to leave their homes, only to become common beggars. This process had been going on for perhaps a hundred years before Elizabeth came to the throne.

Thus while English merchants and manufacturers had enjoyed unusual prosperity, the dispossessed victims of the wool growers were facing ruin.

It was no accident then that the first general poor law was passed in Queen Elizabeth's reign, and no accident that "sturdy beggars" had become a national problem. Moreover, the war with Spain had made the lot of the poor even worse than before. This contest and other wars on the continent interrupted commerce, cut down the market for English woolen cloth, and consequently spread the depression to spinners and weavers. By the end of Elizabeth's reign economic conditions had settled into what looked like a permanent depression. The most discouraging feature of this situation was the lack of hope of improvement in England. Men turned to America as a possible solution for their troubles. As early as 1574, Sir Humphrey Gilbert wrote: "We might inhabit some part of these countries [America] and settle there those needy people of our country which now trouble the commonwealth and through want here at home are enforced to commit outrageous offences whereby they are dayly consumed with the gallows." And in 1611, the Spanish minister to England wrote: "Their [referring to the English] principal reason for colonizing these parts is to give an outlet to so many idle, wretched people as they have in England, and thus prevent the dangers that might be feared of them."

What the unemployed Englishman needed was land, and America had land in abundance. Here was a chance to exchange abject poverty for economic security. Then in addition to its economic advantages the ownership of land had a social and sentimental appeal. Landholders were a privileged class, the possessors of political as well as economic power. They and they alone could vote for members of Parliament. The country gentry dominated their tenants and neighbors. As for the nobility, hereditary members of the House of Lords, their status was determined by their great estates. These considerations helped to shape the thought of many Englishmen; they knew that the acquisition of a farm in America would not make every man a lord, but it would bring tangible advantages.

Desire for
Land

Promoters of colonies and merchants, as distinguished from prospective settlers, could see other advantages in North American land, the chief of which was timber. As a growing commercial and manufacturing country England needed timber, and the domestic supply was rapidly disappearing. In those days all ships were built of wood, and they were made watertight by means of products of the forests, particularly tar and pitch. Wood was still the fuel used in smelting iron. Even the textile manufacturers needed wood for the construction of their spinning wheels and looms. Explorers in the New World all reported on the abundance of timber in North America. Here, then, was a natural resource which would amply repay a large investment in colonial enterprise.

Another of the forces that encouraged English colonization in America was religious unrest. Although the Church of England had been established during the reign of Elizabeth, and although this Church satisfied the

Religion

majority of Englishmen, still there were two groups who did not like it. On one side were the Roman Catholics, who were prevented by their creed from accepting any but their own Church; on the other were various dissenters who wanted a more complete break with the past. These extreme Protestants were ready to leave England if they could establish colonies dedicated to their own particular theories of religion. Besides these questions of freedom of worship, both Catholics and Protestants saw an opportunity to bring Christianity to the heathen, thereby saving them from eternal punishment. Thus English colonization, like the Spanish, was occasionally touched with a high degree of missionary enthusiasm.

FOUNDING OF VIRGINIA

The First Charters

In 1606 King James I granted charters to two new joint-stock trading companies, organized to exploit economic opportunities in North America. To the London Company the king's charter granted the territory between the thirty-fourth and the forty-first degrees of latitude, and to the Plymouth that between the thirty-eighth and the forty-fifth, with the provision that in the region where the grants overlapped, there must be a gap of at least a hundred miles between the settlements of the two companies. With the grants of land each company received authority "to deduce a Colony" into America. This was an important provision because under English law no Englishman could emigrate without official permission. These charters granted blanket permission to all who might choose to go under company auspices.

In addition to granting the land, the Crown provided for a simple plan of government for the proposed colonies. Each colony was to have a council of thirteen members to govern in accordance with royal orders; the members of these bodies were to be appointed by the king, and were removable by royal instruction. In addition, there was created the "Council of Virginia," in England to have general oversight of both colonies. The charters also made provision for the legal rights of prospective settlers; they and their descendants were promised "all Liberties, Franchises, and Immunities, within any of our other Dominions, to all Intents and Purposes, as if they had been abiding and born, within this our Realm of *England*, or any other of our said Dominions."

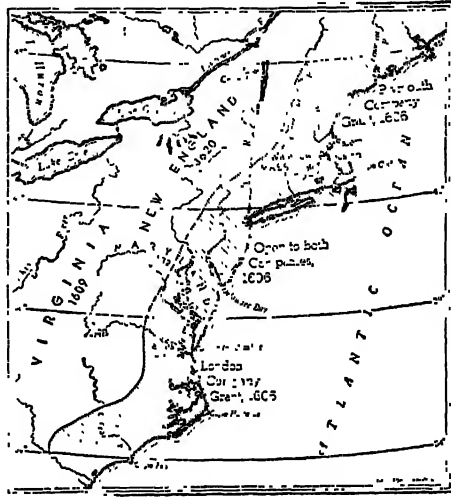
Rights of Englishmen

In subjecting these charters to modern interpretation it is well to remember that the rights and liberties granted were those which Englishmen of that day enjoyed, and at that time there were comparatively few traces of democracy or self-government. Nevertheless, certain principles had been firmly established, principles without which democracy would have been impossible. First in importance was the doctrine of constitutional government, that is, a government resting upon a recognized body of law; this law was binding, not only upon citizens and subjects, but also upon govern-

ment officials themselves, even upon the king. The English nobility had compelled King John to acquiesce in this principle when he approved the Great Charter. Under this same principle of constitutional government individual citizens were protected against the arbitrary exercise of governmental authority; they had certain rights which the government must respect. Englishmen could not be arrested without a warrant, nor kept in prison without adequate reason. The right of *habeas corpus* was recognized in both mother country and colonies. Then the principle of trial by jury was an established safeguard against arbitrary decisions by the judges. These rights of the individual before the law were carried to America.

The London Company which founded the first colony, at Jamestown, had a total membership of 659 persons, of whom 110 were merchants and 282 were described merely as "citizens." There were also representatives of the upper classes, known as "gentlemen." A majority of the members belonged to the middle class, and the project was a middle-class business venture. According to the plans of the promoters, the colony was thought of as a plantation to be worked by the settlers, who in turn were servants or employees of the company. The primary purpose, like that of the older joint-stock trading companies, was to make money for the stockholders. Virginia was not started as an experiment in democracy or popular government.

The first settlers arrived in Virginia in 1607 and unwisely decided to make their homes at the mouth of the James River. Here a combination of brackish water, lack of adequate drainage, and malarial mosquitoes soon brought on sickness. It was partly this unfavorable location, and partly a combination of circumstances which neither the company nor the colonists could control, that account for the hardships of the early years. The first settlers were of all kinds—gentlemen, artisans, and laborers—a good average lot of Englishmen. Their environment, however, was anything but average. Any group of civilized human beings, no matter how intelligent and able they may be, will find it difficult to adjust themselves to life in a wilderness. These colonists were three thousand miles away from their base of supplies. Because they could not begin to raise their food at once, they had to import



MAP 3. EARLY LIMITS OF ENGLISH COLONIES
IN NORTH AMERICA.

Jamestown

it from England. Some of the supplies which the company shipped over spoiled in transit, while some were bad when they started. The colonists did not succeed in raising even maize until 1609.

In the course of a few months the poor health of the colony was alarming. Poor food, combined with disease, probably dysentery and malaria, left the men weak and discouraged. At one time during that desolate first year only six well persons could be found in the colony. The settlers were so ill that "some of them would eat their fish raw, rather than they would go a stones cast to fetch wood and dresse it." One of the first settlers wrote a pathetic but vivid account of these early sufferings: "There were never Englishmen left in a foreign country in such miserie as we were in this new discovered Virginia. We watched every three nights, lying on the bare ground, what weather soever came—which brought our men to be most feeble wretches . . . it would make . . . hearts bleed to heare the pitiful murmurings and outcries of our sick men without reliefe, every night and day for the space of sixe weekes; in the morning their bodies being trailed out of their cabines like Dogges, to be buried." By the end of the first year only 38 settlers remained alive. Probably the colony would have failed completely if it had not been for the courage and determination of Captain John Smith, who contrived to get food from the Indians. He compelled the settlers to work. He explored the back country. He defended the little village of Jamestown against the hostile savages. When an accident forced him to return to England, the colony barely escaped destruction.

Even after the expiration of three years the colony of Virginia was still on the verge of failure. In 1610 Sir Thomas Gates described the situation as follows: "Cast up this reckoning together: want of government, store of idlenesse, their expectations frustrated by traitors, their market spoyled by the Mariners, our nets broken, the deere chased, our boats lost, our hogs killed, our trade with the Indians forbidden, some of our men fled, some murdered, and most, by drinking of the brackish water of James fort weakened, and endaungered, famine and sicknesse by all these meanes increased. . . . Above all, having neither Ruler, nor Preacher, they neither feared God nor man, which provoked the wrath of the Lord of Hosts, and pulled downe his judgements upon them."

In addition to these reasons for discouragement, the very system on which the colony was founded made success impossible. The aim of the company was dividends, to be derived from the labor of the settlers. The colonists were not independent farmers but merely the servants of the company. With the company as the sole landowner it is not surprising that the men were lazy; whatever they made went to enrich the company, instead of themselves. The greatest stimulus to activity, the opportunity for private gain, was absent.

In 1609 the promoters of the colony applied for a new charter, in order that a better system of control might be installed. This second charter ended

all connection between the London and the Plymouth Companies, and abolished the council which had resided in the colony. The new charter also changed the name of the concern to the Virginia Company. Under the new system there was to be only one council, resident in England, with a treasurer as a managing director. This body was given full power to make all laws and regulations necessary for the government of Virginia, provided that such laws were not inconsistent with those of England; the new council received authority to rule over the settlers. In Virginia, the authority of the company was vested in a governor, appointed by the council in England. The charter was so drawn that the treasurer could act as the executive head of both council and colony. At the same time the company planned to send out families, instead of individual male adventurers.

The Second
Charter

In 1611, on the strength of this charter, the council placed the colony under martial law. Everything was organized on a military basis. The men not only carried arms when they went to work, but marched back and forth, in true military style. The regulations, known as Dale's Laws, under which this system was carried into effect, were drawn up by the council in England and enforced, perhaps not very strictly, by Sir Thomas Dale, the governor. Toward the end of 1618, after about seven years of this rigorous government, the colony numbered about six hundred souls. The company had spent eighty thousand pounds and, far from being able to pay dividends, was then about five thousand pounds in debt.

Dale's Laws

What the colony needed was economic reform rather than a mere change of government, and Governor Dale made a small beginning in this direction. In 1611 he started the practice of granting small tracts of land to individuals, with permission to keep for themselves any profits they might make from these grants. Five years later the company extended the practice, first limiting the individual grants to three acres, and then later increasing the area to fifty. From that time on the ambitious colonist had an incentive to work.

The next need was a "money crop," a product which would command a good price in England. This crop proved to be tobacco. In 1614 John Rolfe discovered a new method of curing the leaf, that is, preparing it for market, and so made it commercially profitable. This luxury was already becoming a necessity to fashionable England, and the new method of curing it solved Virginia's problem. Within six years the colony was showing unmistakable signs of prosperity. Every farmer in Virginia was raising tobacco. In 1617 Virginia exported twenty thousand pounds of tobacco, sixty thousand in 1624, and half a million in 1627. These figures mean little by themselves, but interpreted in terms of growth, they are significant. This extraordinary increase meant more plantations, more settlers, a greater colony in every way. In the course of seven years, from 1622 to 1629, the population increased from fewer than a thousand to nearly three thousand. From then on to the end of the seventeenth century, from 1,500 to 2,000 new immigrants arrived each year. At last Virginia was able to produce something that the

Tobacco

rest of the world was eager to buy, and farming became a profitable venture. By 1630 prosperity was assured.

Colonial
Labor

Quantity production of tobacco in turn required cheap labor. A solution of this problem was found in the use of indentured servants. These were persons who sold themselves under binding legal agreement into labor service for a specified number of years, usually five. The owner of the contract could sell it at any time, so the servant might be transferred from employer to employer. But at the expiration of the term the servant became completely free. Many of these indentured servants were of excellent stock. After serving their time they became independent, thrifty landowners and farmers.

At first these indentured servants were white immigrants from the British Isles, but in 1619, according to the record, a Dutch "man of warre" brought "twenty negars" into the colony. The government itself bought their services and then sold the contracts to individual farmers. These first Negroes in Virginia were not slaves but indentured servants and after they had worked out their time they became free; some of them became landowners. During the early history of Virginia the number of Negroes increased slowly; in 1649 there were only three hundred, and in 1671 they numbered two thousand. The first formal recognition of Negro slavery, as distinguished from indentured labor, came in 1656, and slavery was regularly provided for by law in 1661.

House of
Burgesses

These economic developments were accompanied by equally significant changes in government. In 1618 Sir Edwin Sandys became treasurer of the Virginia Company. He was a liberal in politics. In those days liberalism meant opposition to the theories of divine right professed by King James I; English liberals were trying to make Parliament the most important branch of the government. Sandys objected to the system of absolutism in the government of Virginia and in 1618, under his direction, the company put into effect a "charter of grants and liberties." This provided for a representative assembly in the colony, to meet once a year. This House of Burgesses, the first representative law-making body in America, met in July, 1619. In the beginning the Burgesses had little real power because everything they did had to be submitted to the company in England for approval. Furthermore the representative system was a gift of the company; what the company gave it might also take away. In spite of these drawbacks the new legislative body had within itself the possibility for remarkable growth, and this growth actually occurred. In course of time the House of Burgesses acquired prescriptive rights which had practically the force of law.

In an ordinance of 1621 the company outlined more clearly the framework of government for Virginia. The governor represented the company and served as chief executive in the colony. Associated with him in his executive work was a council of state, appointed by the company. Next came the House of Burgesses, made up of two representatives from every

town or "hundred" in the colony. According to this ordinance every free male inhabitant, seventeen years of age or older, could vote. The property qualification for voting was introduced in 1670. The governor, council, and house, could make laws for the colony, but the measures passed by the assembly were subject to the veto of the governor, and even if he approved a measure, it might still be set aside by the company in England. Furthermore, the ordinance provided that the laws made in Virginia must not be inconsistent with the laws of England.

In spite of hardship and suffering, malnutrition, disease, and an appalling death rate, the colony of Virginia survived. Tobacco and the system of individual land grants made the new settlement a going concern. The Virginia Company, on the other hand, as distinguished from the colony, became more and more deeply involved in difficulties. In 1622 an Indian massacre wiped out a number of settlers, and so raised the question of the capacity of the company to defend its property and the lives of the colonists. The company itself was weakened by factional controversies among its own members. As a corporation it was deeply in debt, so that bankruptcy and liquidation had become inevitable. To make matters worse, King James I was trying to cultivate the goodwill of Spain, and Spanish agents were working to discredit Virginia. Spain had no desire to see a powerful English colony within range of her own American empire. Again there was a long dispute between the king and the company over the control of the tobacco trade. In 1624 King James revoked the charter and the English government took over the management of the colony of Virginia. For the future the king appointed the governor and the members of the council. But the House of Burgesses was not destroyed and it remained as the representative body of the planters. The net result of the revocation of the charter, therefore, was the transfer of control from a corporation to the king.

Revocation of
the Charter

By 1630 the colony revealed the political, social, and economic characteristics which lasted until the close of the seventeenth century. In the main Virginia was a community of small farmers, the great majority of whom—some 90 per cent—not only owned but cultivated their land. Before 1705 at least the average farm or plantation was about 370 acres in extent. Large estates were rare. According to the careful estimates of Professor Wertenbaker, there were relatively few indentured servants and slaves; the average number of such workers per farm was only 1.5. It was not until the heavy importation of slaves in the eighteenth century altered this balance that Virginia ceased to be an agricultural democracy. The landed aristocrats, such as Colonel William Byrd of Westover, were so few in number that they did not alter the picture.

This homogeneous society, in which most of the members were on a plane of economic and social equality, provided the first practical illustration of American democracy. Here was a government controlled and operated by farmers, that ideal about which Thomas Jefferson was destined to write

Practical
Democracy

with so much enthusiasm later on. The House of Burgesses was a planters' political club. Planters made up the council. Planters were justices of the peace, sheriffs, militia officers, and judges in the county courts.

Although these Virginia farms were relatively small, certainly in comparison with some of the great estates which were built up during the eighteenth century, they were large enough to prevent the growth of anything approaching town life in Virginia. The county therefore became the unit of local government. The scattering of the population had certain important consequences in the arrangements for recreation, education, and religion.

The history of Virginia was not one of uninterrupted progress and prosperity. Shortly before 1660 the planters began to suffer from a serious economic depression, and the hard times lasted until 1682. During this interval the colonists were disturbed still further by Indian warfare and by armed rebellion against the established government. The depression was due to a sharp drop in the price of the basic crop, tobacco. In 1667 the Secretary of the Colony, Thomas Ludwell, reported that the average farmer in Virginia was getting only fifty shillings for his year's crop. Out of this small income he had to buy manufactured goods for his home and clothing for himself and his family. In 1680 the governor and council reported that "the people of Virginia are generally, some few excepted, extremely poor, not being able to provide against the pressing necessities of their families." There was no lack of food because at that period the farmers raised their own and the fertile soil of Virginia produced an ample supply. But the loss of income from tobacco resulted in serious hardship to large numbers of people. This condition was due to a glut of the market, brought about in large part by British regulations and restrictions on the tobacco trade. (See Chapter 6.)

The Indian troubles began in the summer of 1675, when some Indians murdered two Virginia farmers. In revenge Virginia militiamen killed the murderers and several more Indians for good measure. For the remaining part of the year there were numerous attacks by the Indians upon the whites, and early in 1676 there was a serious Indian uprising.

At this time the governor of Virginia was the old and conservative Sir William Berkeley, loyal supporter of King Charles I and of his son. The House of Burgesses which had been elected in 1661 was conservative too; in fact, Berkeley liked the members so well that he would not order a new election for fourteen years. The majority of the members had lost touch with their constituents, and they regularly upheld the governor. Berkeley himself was interested in the fur trade along the frontier so he wanted to retain the goodwill of the Indians. He refused to do anything effective to protect the people from the Indians. The legislature did appropriate money for building forts, but the most obvious result of this policy was to increase the burden of taxes on a people already desperate for lack of funds. The depredations of the Indians continued.

Economic
Depression

Bacon's
Rebellion

Unable to get help from the regular authorities, some of the planters chose one of their own number, Nathaniel Bacon, as a new leader. In the spring of 1676 he organized a small force and successfully attacked one group of Indians. Berkeley proclaimed Bacon and his whole band rebels against the government, because Bacon had taken the field without a commission from the governor. But Bacon had the support of a majority of the people and they forced the governor to provide for a new election. Berkeley even went so far as to pardon Bacon, readmit him to the council, and then commission him to lead a campaign against the Indians. Once Bacon had left Jamestown, however, Berkeley repudiated his agreement, revoked Bacon's commission, and ordered the militia to go out and arrest him.

Bacon had the support of two-thirds of the people in the colony, and he proceeded to organize a rival government. He called the legislature into session and again marched against the Indians. Berkeley, who had fled from Jamestown, returned to the capital and tried to re-establish his authority. Then Bacon attacked the capital itself and burned the principal buildings. Shortly afterward he died, and Berkeley recovered control. Although King Charles II ordered an amnesty for all the rebels, Berkeley ignored the order and executed thirteen of Bacon's followers. For this unnecessary severity Berkeley—characterized as an "old fool" by the king—was deprived of his post and ordered back to England.

Between 1676 and 1682 the Virginians continued to suffer from the combined evils of unsatisfactory government and economic depression. After this time the price of tobacco rose again and with the return of prosperity the political difficulties attracted less attention. The Indian troubles were temporarily settled by a treaty signed in 1676.

3

New England

THE PURITAN INFLUENCE

WHILE the London Company was working in Virginia, its associate, the Plymouth Company, turned its attention to the New England coast. In the summer of 1607 the company planted a colony at Sagadahoc at the mouth of the Kennebec River. This enterprise, backed by Sir Ferdinando Gorges and Justice John Popham, resulted in dismal failure. During the first year the settlers were troubled both by illness and by the Indians. In the second year, because of these difficulties and because of the general discouragement of both colonists and promoters, the settlement was abandoned.

Once the Sagadahoc colony had failed, the Plymouth Company seemed unable to promote other settlements, and in 1620 it turned over its rights to a successor, the New England Council. This new organization, under the leadership of Sir Ferdinando Gorges, was given the right to trade, to grant land titles, and to establish and govern colonies in America anywhere between the fortieth and forty-eighth parallels of latitude. But the council preferred to sublet its rights to others, instead of starting colonies itself. In 1621 it gave the Pilgrims a patent covering their settlement at Plymouth, and in 1628 it may have conveyed certain territory to a group of English Puritans, thereby enabling Endicott to begin the settlement at Salem. In 1629, Captain John Mason received from it a grant in what is now New Hampshire, and Gorges himself tried to establish a colony in Maine. In 1635, after an ineffective existence, the council gave up its charter.

Although the Plymouth Company and the New England Council accomplished little in the way of direct colonization, their efforts called attention to the possibilities of New England. Furthermore, English fishermen were already exploiting the cod fisheries off New England and Newfoundland, and explorers carried back promising reports of the region. It was only a question of time until permanent settlements would be made. Because of a peculiar combination of circumstances in England it so happened that the actual settlement of New England was carried out under Puritan auspices.

At the present-time Puritanism is sometimes referred to simply in terms of religion and morals as though these matters were of primary concern. Of course the Puritans were interested in religion and morals, but they had

The Plymouth
Company

other interests of equal or even greater importance; had it not been for these other matters they probably would have shown little enthusiasm for colonization. In its religious aspects Puritanism was one of the products of the great religious upheaval of the sixteenth century. The Church of England had separated bodily from the Roman Catholic Church but in doing so it had retained the Roman Catholic ecclesiastical organization and much of its theology and ritual. The most obvious change made by the Anglicans was the repudiation of the authority of the pope and the substitution of English for Latin in the services. Some Englishmen, however, wanted a more complete break with the past and they withdrew from the English Church. Other dissenters tried to win control of the English Church organization with the avowed purpose of making over its government, its form of worship, and its creed. Failing in this objective, many of these dissenters left the Church. The term Puritan was applied loosely to dissenters, no matter whether they were independents, Presbyterians, or more moderate reformers within the Church itself.

Religious
Changes in
England

In England there were two influences which helped to shape the dissenting theologies, first the English Bible and next Calvinism. In the Catholic Church the only authorized text of the Bible was the Latin translation commonly known as the Vulgate. The priests read this in their services, but the reading made little impression on the ordinary unlettered Englishman. During the reign of Henry VIII (1509-1547) the English clergy received orders from the king to use an English translation of the Bible. From that time on everybody who went to church became acquainted with the Bible. The majority of Englishmen could not read, so the Bible which was read to them by the priests was the only literature they knew anything about. From it they derived their ideas concerning not only religion but all the other fields of knowledge. It was the one source of knowledge and the final authority on all subjects. The people were taught that the Bible was the word of God and they never questioned its divine inspiration or its authority.

The English
Bible

The other major influence at work on English religious thought, Calvinism, entered England by way of France and Switzerland. John Calvin was a French scholar, born in 1509. Although trained for the law, he dropped that study for theology. In 1536 he published a work known as the *Institutes of the Christian Religion*. He differed with the Roman Catholics and the Anglicans alike in such religious fundamentals as church organization, creed, and form of worship. For the bishops and archbishops he substituted presbyters and a central council called the synod. For much of the formalism in the service he substituted the sermon. His creed was too long and involved to be taken up here. One of its most distinctive doctrines was concerned with predestination or election, a doctrine which only a true Calvinist can explain satisfactorily. Briefly Calvin taught that the human race is divided into two classes, the elect and the non-elect. The elect were those chosen by divine power for eternal happiness; the others were foreordained

Calvinism

to eternal punishment. The individual himself had no choice in the matter and he could do nothing to alter his status in this respect. In trying to make the principle clear, Calvin used the illustration of patients in a hospital, some of whom were so fortunate as to be in the sunshine while others were in the shade. None were able to move, so they could not settle the matter for themselves. Calvin tried to avoid some of the logical difficulties in his argument by insisting that the elect would demonstrate their superiority over their unfortunate fellows by their manner of living; they would exemplify the virtues of sobriety, restraint, and above everything else, thrift and earnest industriousness. His followers, who may have had some doubts of their own election, could convince themselves and their neighbors by adopting the Calvinist mode of life. Then they would at least win rewards in this world, regardless of what might happen to them in the next. The Calvinists therefore were noted for their self-restraint and abstinence from worldly evil. They abandoned bright colors in dress and they discarded jewelry and other adornments because these were non-essential attributes of worldliness.

Calvinists were known to their neighbors by their intense moral earnestness and by their opposition to many of the pleasures of this world. They condemned the old English custom of sports on the village green on Sunday afternoons. They refused to participate in celebrations which had any connection with Catholicism; they were particularly opposed to the observance of Christmas. One eminent Puritan in Massachusetts, Samuel Sewall, wrote that he spent part of one Christmas day in rearranging the coffins in the family vault in the cemetery. This he described as an "awful but pleasing diversion for the day." Conviviality was unbecoming and therefore not suitable for Puritans. In *Twelfth Night* Shakespeare represented Malvolio as something of a Puritan who made himself obnoxious by parading his goodness. Everyone who has read the play will remember the question addressed to Malvolio by Sir Toby Belch, who was not a Puritan: "Dost thou think, because thou art virtuous, there shall be no more cakes and ale?"

Many of the religious dissenters in England became Calvinists, and Calvinism furnished most of the theological doctrines of the Puritans. In Geneva, Switzerland, where Calvin lived and did most of his work, Calvinism was a system of government as well as a form of religion. In England, too, Calvinists became active in politics and they worked out a philosophy of government which departed widely from that proclaimed by the king. They had already repudiated the authority of the bishops because they were bound up with Catholicism. In England they refused to recognize the king as the temporal head of the church. The more extreme Puritans found the true source of authority in church matters in the members of the church itself. Opposition to established authority in the church could very easily be carried over into the field of politics and government, and

it was. Numbers of Englishmen who denied the authority of the established church began also to deny the doctrine of divine right in the kingship. Furthermore, if the church congregation was the source of authority in church government, the inhabitants of England might logically be regarded as the source of political authority. The Puritans were the political liberals of their time.

Puritanism soon became a political force in England. The Puritans tried to elect a majority of the members of Parliament, and they worked to make Parliament the most important branch of the English government. Many of the Puritans were artisans, shopkeepers, or merchants, representing the urban interests against those of the country. Opposed to them, and defending the established order, were the king, the orthodox clergy, most of the landowning country gentry, and many of the agricultural laborers.

In addition to its religious and political implications, English Puritanism was a class or social movement. The merchants with their allies, the artisans and shopkeepers, represented the growing power of business enterprise. They were the ones who built up and dominated the increasingly profitable commercial enterprises of their time. They furnished the money and the talent for the joint-stock trading companies and they made English colonization a reality. In spite of their wealth and their contributions to English well-being, the Puritan merchants lacked both political power and social prestige, then the monopolies of the landowning class. When the Puritans attempted to secure power for themselves, they were stigmatized as upstarts and climbers, interlopers who were trying to overturn the social and political structure which God had founded. It is plain now that Puritanism was one of those explosive forces which have appeared from time to time, and which have brought about fundamental alterations in prevailing thought and customs. The Puritan revolution affected a number of phases of English life. Because of their activities in religion and politics the Puritans made themselves obnoxious to the authorities. In 1629, in order to end their influence, King Charles dismissed Parliament and began an eleven-year period of personal rule. During this very period numbers of Puritans became discouraged over the prospect of reform in England and turned their attention to the New World.

**The Puritan
Revolution**

Among these English dissenters was a small group of religious and political radicals known as Separatists, because they demanded complete freedom to manage their own church affairs; sometimes they were called Brownists, because of the prominence of one of their leaders, Robert Browne. They encountered so much opposition in England that they left the country and fled to Holland. This was in 1608, just a year before the truce between Holland and Spain was due to begin. In spite of having gone to the Low Countries at this unpropitious time when war might soon be renewed, these Englishmen remained over ten years. Then they decided to leave Holland. The cause of their withdrawal may have been the well-grounded

The Pilgrims

fear that their children would lose their identity as Englishmen, or it may have been the outbreak of the Thirty Years' War which threatened to engulf all Europe. Whatever the reason, the Separatists decided to settle in America.

After giving due consideration to the Dutch colonies of Guiana and New Netherlands, they decided to remove to English North America, or Virginia. This name seems to have been loosely used to include not only the region assigned to the London Company, but territory to the north and east as well. They could not secure a charter from the king, but unofficially he agreed not to molest them. The Separatists themselves could not finance the enterprise, so they borrowed £7,000 from some London merchants. They set sail in 1620 on the *Mayflower*, and in November they landed on Cape Cod, approximately where Provincetown is now located. The sand dunes of the Cape looked anything but inviting, so after exploring the region they moved across the bay and settled at a harbor which John Smith had already named Plymouth. There were only 101 pioneers in this enterprise.

Before landing from the *Mayflower* they drew up a formal agreement or compact by which they agreed to form "a civill body politick." Announcing that they had "undertaken, for the glorie of God, and advancement of the Christian faith, and honour of our king and countrie, a voyage to plant the first colonie in the Northerne parts of Virginia," they proposed to make their own laws "for the generall good of the colonie," and they promised due obedience to these laws. Instead of being subject to the control of a commercial company three thousand miles away, as the settlers at Jamestown were at the time, they entered upon the management of their own government.

Legally they had a right to enter into this *Compact*, because they found themselves in a part of the British possessions where no government existed. But this was merely an agreement among themselves, not between them and the king. The *Compact* could not and did not free them from the operation of the laws of England, or from the English government. They were squatters with no rights which the English government was bound to respect. They did not wish to separate completely from England, otherwise they would have picked some part of the world for their colony which was not owned by the English Crown. They were not long in realizing that their situation was precarious, and in 1621 they secured a patent from the New England Council. In 1630, they got a second patent from the same organization in order to have their territorial limits more clearly defined. This was necessary because of the ambitious plans of the newly formed Massachusetts Bay Company.

Their first winter at Plymouth has received abundant attention in American history. Over half their number died, partly from exposure, partly from scurvy due to malnutrition, partly from pneumonia. But the survivors showed good courage by refusing to go back to England. At first all the

land was held in common; later, in 1623, Governor Bradford put an end to the communistic system. The Pilgrims, as they are called after their settlement here, soon found a source of profit in the fur trade, and by 1627 they were able to buy out the rights of the London merchants.

The state of mind of the Pilgrims could never be described as tolerant, even before they left England, and the hardships of the frontier intensified some of their qualities which were most in need of being softened. Shortly after they were established at Plymouth, a new settlement was started, in 1625, in what later became the town of Quincy, Thomas Morton's colony at Merrymount. He too had received his land from the New England Council. But Morton was anything but a Puritan; perhaps he resembled Jack Falstaff as much as anybody, certainly in his fondness for a good time and in his weakness for alcoholic inspiration.

Thomas
Morton

The Pilgrims, or "precise Separatists" as Morton described his neighbors, accused the Merrymount settlers of selling both firearms and drink to the Indians, and of giving shelter to fugitive servants. According to Morton's own account, the chief cause of complaint against him was an elaborate May day celebration which he and his friends organized at Merrymount. The party was clearly not conducted in accordance with Pilgrim theories of form and dignity; there was too much evidence of singing, dancing, beer, and hard liquor for that. "This harmless mirth by younge men," as Morton termed it, "was much distasted, of the precise Separatists, that keep much adoe . . . troubling their brains more than reason would require about things that are indifferent; and from that time sought occasion" to destroy the Merrymount colony. In 1628 the Pilgrims sent Miles Standish with his small army to Merrymount; Captain Standish captured Morton and sent him to England, but he returned at the first opportunity. In 1630 John Endicott of the Massachusetts Bay Company led a new attack upon Merrymount. Again Morton was shipped back to England and this time the attackers destroyed his colony. But he returned to America and died at York, Maine.

Numerically the Pilgrim colony was not important. Four years after the settlement there were only 123 inhabitants in Plymouth. By 1630 there were between 250 and 300 persons. As late as 1691, when Plymouth was annexed to Massachusetts, the population numbered approximately nine thousand, and many of these had entered the colony not directly from England but indirectly by way of Massachusetts. In the course of a few years the colony of Massachusetts Bay largely overshadowed the Plymouth colony. But Plymouth had the distinction of being the second permanent British colony in what is now the United States.

THE COLONY OF MASSACHUSETTS BAY

Preparations for another settlement in New England began as early as 1624. Under the leadership of the Reverend John White, an Anglican clergy-

Dorchester
and Salem

man, a company of one hundred members was organized at Dorchester, England, to promote the fisheries off the coast of Newfoundland. This group started a settlement on Cape Ann, in Massachusetts, with Roger Conant as governor. Two years later the Dorchester Company went into bankruptcy; Conant with a few settlers moved a short distance south and settled at Salem. Then in 1628 a group of London merchants formed the New England Company, and according to their own statement secured from the New England Council a grant of land between two lines drawn westward from points on the Atlantic coast, one three miles north of the Merri-mac, the other three miles south of the Charles. John Endicott took Conant's place as governor. In 1629, because of disputes over the title to this grant, the promoters asked for and secured a charter directly from King Charles I. This charter created the Massachusetts Bay Company and gave the same territory previously granted to the New England Company. There has always been a mystery about the granting of this charter; evidently it was "surreptitiously obtained" with neither the knowledge nor the consent of the New England Council.

As originally established, the Massachusetts Bay Company was a commercial enterprise, the primary purpose of which was to make money through trade. Then the management of the concern passed into the hands of men interested in founding a Puritan colony in America. Those members not interested in going to Massachusetts resigned; the others signed the Cambridge Agreement, by which they bound themselves to emigrate to the colony. John Winthrop joined the company at this time.

Charter of
the Bay
Company

The charter provided for the usual officials of any joint-stock trading corporation. There was a governor, a deputy governor, and eighteen assistants, to be chosen by the freemen, or members of the company. These terms applied originally not to any colony, but merely to the company. If the charter were translated into modern English, the words president, vice-president, directors, and stockholders would be substituted for those listed above.

The official business of the company was to be transacted in a so-called General Court, to meet four times a year, consisting of the governor, the assistants, and the freemen. This joint meeting of the stockholders and directors, for that is exactly what the original General Court was, received authority to admit new freemen, to elect the governor, deputy governor, and assistants, and "to establish all manner of wholesome and reasonable orders, lawes, statutes, and ordinances . . . not contrarie to the laws of . . . England." In addition they might create the necessary administrative offices.

When the final draft of the charter passed the seals, there was a curious but very important omission. Ordinarily every such document specified the place of meeting of the company created, but no place was named in this one. Consequently, so the assistants reasoned, the company was free to meet where it pleased, and the managers decided to move both company and

charter to America. On March 29, 1630, the company set sail with the charter. By this simple expedient an ordinary joint-stock company was transformed into a colony, and the system provided for transacting company business became the form of government for the colony. The London Company had remained in England, and from there governed Virginia as a subsidiary enterprise. In the case of the Massachusetts Bay Company, the company itself went to the colony, and governed it on the ground. Actually this process of transferring the charter to America was illegal, but the promoters were not deterred by this difficulty.

The first group of settlers, over nine hundred in number, including the company, went first to Salem and then to Boston. In the course of 1630 about two thousand more came over. The leading laymen, like John Winthrop, the governor, and others were "gentlemen." The clergy were all Puritans. The rank and file of the settlers were small merchants, farmers, and artisans, some of whom left England because of hard times, some because of persecution. The great majority were men of humble birth. It is rather interesting to find that hardly a fifth of the Massachusetts settlers were church members.

Boston

Although the leaders of this enterprise were Puritans interested in establishing a Puritan commonwealth, they did not emphasize this fact in their efforts to secure settlers. In fact, their advertising was almost silent on the subject of religion, but they said a great deal about the economic possibilities of New England. In one pamphlet of twelve pages written for the purpose of encouraging settlers to go to Massachusetts, there were only twelve lines devoted to religion. The following quotation gives an idea of the main drift of the argument: "Great pity is it to see so much ground for corn and for grass as any is under the heavens, to be altogether unoccupied, when so many honest men and their families in old England, through the populousness thereof, do make shift to live one by the other. . . . As for wood, a poor servant may have more timber and fuel than could many a nobleman in England . . . and as for fresh water the country is full of dainty springs and some great rivers and some lesser brooks."

The first governor of the Bay Colony, John Winthrop, wrote enthusiastically of the advantages of New England: "the country is exceeding good and the climate very like our own. . . . For the country itself, I can discern little difference between it and our own. We have had only two days, which I have observed more hot than in England. Here is as good land as I have seen there, but none so bad as there. Here is sweet air, fair rivers, and plenty of springs, and the water better than in England. Here can be no want of any thing to those, who bring means to raise out of the earth and sea." And again, a few weeks later, in spite of controversies which had arisen, Winthrop wrote to his wife, who was still in England: "I thank God, I like so well to be here, as I do not repent my coming, and if I were to come again,

I would not have altered my course. . . . I never fared better in my life, never slept better, never had more content of mind."

The government which the company set up in Massachusetts was at first an oligarchy, or a "theocracy" as someone described it. John Winthrop himself was no liberal, and neither he nor his associates had the remotest intention of setting up a republic or a democracy. The attitude of this close corporation was well expressed by Winthrop himself, in discussing the unwisdom of referring important questions "to the body of the people, because the best part is always the least, and of that best part the wiser part is always the lesser." In the original group of over nine hundred colonists, there were only twelve freemen all told, and even by the autumn, when the number of settlers had more than doubled, the number of freemen still remained the same. These twelve men, with Winthrop at their head, had full legal authority to "correct, govern, punish, pardon, and rule" the whole body of colonists. During that time the General Court consisted of those twelve men, and no others. The colonists had no voice in the election of the freemen, no way of limiting their authority, and no way of making laws for themselves. They were just as much under the arbitrary will of the company as the first settlers in Virginia had been under the London Company. The mere fact that the company resided in the colony did not make its rule any less absolute.

The Massachusetts Bay Company was no more tolerant in religion than it was in government. The settlement was a Puritan commonwealth. Settlers of all kinds were welcome, provided they would accept the system and keep quiet. Theological disputes were kept down to a minimum by the simple expedient of banishing or deporting the heretics. The Puritans had come over to secure not toleration, but freedom for the exercise of their own religion.

In England, during the twenty-seven years which preceded the founding of the Bay Colony, criticism of the arbitrary Stuart policy had steadily increased, and political liberalism became fashionable in England. It was impossible to keep these liberal ideas out of Massachusetts; the colony received a number of logical individuals who could see little difference between the underlying philosophy of John Winthrop and that of Charles Stuart. Sooner or later, the Winthrop system was sure to encounter criticism and opposition, and eventually the Puritan leaders had to decide whether they would emulate the king, or admit the dissatisfied to share in the government.

The first effort to liberalize the government came in October, 1630, before the colony was a year old. A group of 109 settlers raised the whole issue by asking to be made freemen, that is, admitted to membership in the company. The request was peculiarly embarrassing to Winthrop and his associate rulers. If it should be granted, they might lose their authority. On the other hand, if they refused to grant it, they knew that some of the settlers would go elsewhere, and Massachusetts needed colonists. Then the request

raised another problem. The first freemen had been stockholders, that is, investors in the company's stock. These new applicants did not wish to invest; they merely wanted to vote.

The way out of the dilemma which Winthrop discovered showed that life in the New World had not dulled Puritan wits. The 109 were admitted as freemen, but Winthrop informed them that the freemen enjoyed no power except the right to elect the assistants. The new freemen had never seen the charter and Winthrop took care that they did not see it for four years; during this time they did not know that the governor was guilty of a flagrant violation of their legal rights.

The next difficulty arose in 1632, when certain residents of the settlement at Watertown objected to being taxed by the assistants. For the time being nothing happened. In 1634, however, the freemen mustered up sufficient courage to demand a sight of the charter; then they learned for the first time how they had been deprived of their rights for four full years. This time the ruling powers had to surrender. From then on, arrangements were made for four meetings of the General Court each year. The first, at which all the freemen were to be present in a body, was to elect the governor, deputy governor, and assistants. The other three were to be representative, and at these general legislative business was to be transacted. This arrangement necessitated the development of a representative system, whereby each town was authorized to send two freemen to the legislature. For the first few years the representatives met with the assistants, but in 1644 a two-chambered legislature was provided for.

All these changes meant a more general participation in political affairs, but the number of freemen necessarily remained small. The freemen constituted a close corporation, and they themselves fixed the qualifications for membership in their own select circle. Under the charter, strictly interpreted as it always was, violated outright as it could be and was for years at a time, there was not much room for democracy. The right to vote was limited to church members, and approved church members at that. In 1670, when the population of the colony had increased to 25,000 persons, there were only 1,100 freemen.

It is not surprising that affairs in this Puritan theocracy should have attracted the attention of the government in England. The Plymouth Colony had been left alone, because it had made itself neither conspicuous nor troublesome. The Bay Colony challenged British authority and almost invited investigation. Among those who demanded an inquiry into the affairs of Massachusetts was Sir Ferdinando Gorges, who insisted that the Bay Colony charter was a direct violation of his own proprietary rights. He suggested that the charter be brought before the Privy Council. In 1634, partly as a result of his complaints, the Privy Council appointed a commission, with Archbishop Laud at the head, to check further Puritan emigration, and to revoke charters "surreptitiously and unduly obtained." This same commis-

sion was likewise authorized to make laws for the government of the English colonies, to remove colonial governors, and to hear and decide complaints from the colonies.

In 1635 the commission secured a writ of *quo warranto* against the Massachusetts Bay Company, but because of the growing trouble in England the writ was never served. There is little doubt that the approach of the Civil War in England saved the life of the Massachusetts Bay Company. It was not until after 1660 that the Privy Council was able to turn its attention once more to Massachusetts and during that long interval the foundations of the Puritan commonwealth were solidly laid.

EXPANSION OF NEW ENGLAND

Among the more conspicuous critics of the established order in Massachusetts was a clergyman, Roger Williams. As an independent in religion he opposed the ecclesiastical system of the Bay Colony, and as a democrat in politics he found fault with the arbitrary government there. Williams really believed that the people were the source of authority and he said so in words that made him famous:

The *Sovereigne, originall, and foundation* of *civill powers* lies in the people. . . . A people may erect and establish what *forms* of *Government* seems to them most meet for their *civill condition*: It is evident that such *Governments* as are by them erected and established, have no more *power*, nor for no longer time, than the *civill power* or people consenting and agreeing shall betrust them with. This is cleere not only in *Reason*, but in the experience of all commonweales, where the people are not deprived of their *naturall freedome* by the power of Tyrants.

Williams not only found fault with church and state in Massachusetts, but with the land system. He argued that the settlers should have bought the land of the Indians.

Ordered out of Massachusetts, in the winter of 1635-1636, Williams moved to Narragansett Bay and founded a settlement at Providence. There he put his liberal principles into practice. His associates controlled the government under an agreement similar to the *Mayflower Compact*, and they worshiped as they pleased. There was no established church, and consequently no compulsory attendance and no forced contributions for church support.

The second of the Rhode Island settlements, the Portsmouth colony on Rhode Island proper, was started by another heretic and refugee from Massachusetts, Mrs. Anne Hutchinson, who was one of the most conspicuous of the early radicals. She objected to the theology expounded in the Boston church and to the government instituted by John Winthrop. Her criticism was not merely negative, and therein lay her offense. She evolved a religious system of her own based upon direct divine revelation, so she said. Now, to have anyone question the soundness of Puritan government

Roger
Williams

Anne
Hutchinson

and Puritan theology was bad enough, but to have a woman lay claim to divine inspiration was sin against the Holy Ghost. Any critic of any established order can always get a following, and some of Mrs. Hutchinson's admirers were among the most prominent men in the colony. Something had to be done, so she was placed on trial before the General Court, with Governor Winthrop presiding. The defendant had little chance of a fair hearing. Her case was settled beforehand. The Court emphasized "the troublesomeness of her spirit, and the danger of her course amongst us, which is not to be suffered," and decreed that she should be banished and imprisoned until she could be sent away.

Banishment from the colony was followed by excommunication from the church. This second sentence was pronounced by the Reverend John Wilson, whom Mrs. Hutchinson had gravely offended. Whenever he rose to preach she ostentatiously marched out of church followed by her band of enthusiastic admirers. As a commentary on the Puritan state of mind, Wilson's words are unsurpassed:

Forasmuch as you, Mrs. Hutchinson, have highly transgressed and offended and forasmuch as you have so many ways troubled the church with your errors and have drawn away many a poor soul, and have upheld your revelations; and forasmuch as you have made a lie, etc. Therefore in the name of our Lord Jesus Christ and in the name of the Church I do not only pronounce you worthy to be cast out, but I do cast you out in the name of Christ I do deliver you up to Satan, that you may learn no more to blaspheme, to seduce, and to lie, and I do account you from this time forth to be a Heathen and a Publican and so to be held of all the brethren and sisters of this congregation and of all others; therefore I command you in the name of Christ Jesus and of his Church as a Leper to withdraw yourself out of the Congregation; that as formerly you have despised and contemned the Holy Ordinances of God, and turned your back on them, so may you now have no part in them nor benefit by them.

These early settlers in Massachusetts were robust in convictions and in spirit if not always in body, and it is not strange that clashes between the authorities and the malcontents were characterized by hard, biting cruelty. But the New England Puritans were not the only ones who substituted controversial theology for Christian charity in dealing with their fellow men. Good precedents for that can be found at all times.

A third settlement in Rhode Island was started in 1639, at Newport, and a fourth in 1643, at Warwick. Samuel Gorton, the founder of the latter colony, was a notorious heretic. After a brief sojourn in a number of towns in Massachusetts, he betook himself to Providence, only to be banished from that place of refuge for the unadaptable. No system would suit him but one of his own making, and it may be that only sheer weariness of spirit made him stay in his own colony.

With such antecedents, these four little colonies could hardly be expected to display a spirit of cooperation, and for more than a century "separatism"

Union in
Rhode Island

was the sign that marked the true Rhode Islander. And yet the very strength of circumstances forced them into some sort of working union. In 1643 Roger Williams secured a patent for the first three towns, possibly as a means of protection against the impending New England Confederation. By this document the settlers were given the rights of self-government, provided that they kept their laws in harmony with those of England. In 1647 Warwick, Gorton's colony, was admitted and a systematic form of government was worked out. The plan provided for a president, a board of four assistants, and an elective assembly. But the Rhode Islanders would not delegate too much power to their own chosen representatives. In order to safeguard their "rights" they instituted an interesting form of initiative and referendum. The voters of any one town could propose laws, which the legislature might accept or reject, while each town had full power to accept or reject any act of the legislature. Suspicion of a central government therefore developed early in America, and it was not confined to any one section.

Williams's patent answered the purpose of a fundamental law until something more substantial could be secured. In 1663, after the trouble between Cavaliers and Roundheads had been settled in England, the colony of Rhode Island secured a formal charter. This document, like several others of a similar nature, is an interesting commentary on the theories and philosophy of the king who granted it, Charles II. It guaranteed religious freedom, something which Charles had suggested for England in his Declaration of Breda, but something which Parliament had refused to grant. "All and every person and persons," so reads the charter, "may . . . freely and fully have and enjoy his and their own judgments and consciences, in matters of religious concerns, throughout the tract of land hereafter mentioned."

Furthermore, this same Charles II, customarily depicted as a clever, scheming, underhand absolutist in England, confirmed the Rhode Island principle of representative government. The voters were authorized to elect a governor, deputy governor, and ten assistants. Likewise they elected a general assembly, consisting of six representatives from Newport, four each from Providence, Portsmouth, and Warwick, plus two from each additional town. Thus the United Colony of Rhode Island and Providence Plantations was solidly established, and except for three years, the charter granted by Charles II remained the fundamental law of Rhode Island until 1842.

While the Rhode Island dissenters and separatists were learning some of the essentials of cooperation, other groups of settlers were moving into the fertile Connecticut valley. These ventures were, if possible, more typical of the normal westward drift of the Americans than the Providence and Warwick experiments. The leaders, Thomas Hooker and John Haynes, found scant room for their abilities in a community ruled by John Winthrop and John Wilson. Furthermore, they needed better and more abundant pas-

Connecticut

turage for their cattle. But above everything else was the lure of greater opportunity in the West. For two full centuries after these Connecticut settlers were dead, succeeding generations of Americans continued to respond to the very same call.

In 1636 men from Cambridge, Dorchester, and Watertown moved out beyond the bounds of Massachusetts and settled the river towns: Hartford, Wethersfield, and Windsor, while Roxbury pioneers were settling in Springfield, Massachusetts. This significant advance was observed with wrath by the Dutch, who had already established fur-trading posts in the same section, and with apprehension by the Indians, who were not slow to realize the meaning which these new colonies had for them. After the Puritan manner, the freemen in the river towns organized a representative government similar in its main outlines to those in Massachusetts and Rhode Island. Other Puritans, under the leadership of Lord Saye and Sele, had already settled at the mouth of the Connecticut River, at Saybrook, and Saybrook became part of Connecticut.

In 1638 another group of Puritans from England, led by John Davenport and Theophilus Eaton, set up their "Bible Commonwealth" at New Haven. In this model settlement the Scriptures were to be the guide for individuals and for the government, and only church members were allowed to vote. The voters proceeded to select seven godly men to rule over them. In true American fashion New Haven sent out offshoots, of which Milford and Guilford were among the earliest. With this expansion, a representative assembly became necessary, and one was duly created. In 1662 the Connecticut colony secured a charter, which provided for a union of these groups of settlements under a single government. This charter continued the representative system; because it was quite satisfactory, it lasted until 1818. New Haven

Still other settlements were started, in New Hampshire, which was generally controlled by Massachusetts until 1679, and in Maine, which was a part of Massachusetts until 1820.

The processes by which the Rhode Island and Connecticut settlements were evolved—expansion and fusion—are typical of American history. And, if individual towns found it wise to unite to promote the general welfare, it was equally desirable to bring about further cooperation by combining the governments themselves into a still larger union. Connecticut, especially, was awake to the dangers of her isolated situation and to the need of support. The river towns, frontier outposts in New England, were in the very heart of the Indian territory, and the attitude of the Indians was becoming daily more menacing. Also, the Dutch had never recognized the right of the Puritans to settle near their fur-trading posts, and the Connecticut people knew that only lack of power prevented the Dutch from driving them out. Finally, the French from Québec and Montreal, who found it convenient to use the Connecticut River, were not at all pleased at the prospect of English farms along one of their main highways. New England
Confederation

If the logic of events pointed toward confederation, so too did the common interests and ideals, especially of Massachusetts, Connecticut, and Plymouth. Connecticut, as the colony most in need of help, made the first suggestion of union as early as 1637; and undiscouraged by the indifference of her neighbors, she renewed her proposals in 1638, 1639, and 1642.

By 1642 the government of Massachusetts Bay had become more receptive. From various quarters reports were current concerning an impending



MAP 4.

Indian uprising. Conditions in England too made cooperation necessary in New England. If the threatened war between the king and the Parliamentarians should really come, it might spread to America, and the Puritans needed to be prepared. No matter which way the war should result, a confederation would have its advantages. If they should be left to their own devices, they wanted to be able to use their power effectively and wisely. On the other hand, if the king should be successful they would need to organize for defense.

In 1643 commissioners from Plymouth, New Haven, and Connecticut met with a committee of the General Court in Boston, for the purpose of working out a formal basis for federation. Difficulties were numerous, such as local jealousy and local pride, but these were compromised and an agreement was finally signed. The Confederation included the four colonies which took part in the conference at Boston, and only those. Maine was

left out because of its heretical and democratic tendencies. Rhode Island tried to join, both in 1644 and again in 1648, but admission was refused unless the Rhode Islanders would acknowledge the jurisdiction of either Massachusetts or Plymouth. This, at least, was the reason alleged for rejecting the Rhode Island petitions. Perhaps the real reason is to be found in the supreme contempt of the authorities in Massachusetts for their neighbors. "Concerning the Islanders," wrote Winthrop, "we have no conversing with them, nor desire to have, further than necessity or humanity may require." And, when he was compelled to contaminate his pen by referring to them, he described their colony sometimes as a "sink," sometimes as a "sewer."

The Articles of Confederation, twelve in number, bound the four colonies together under the name of "The United Colonies of New England." Under the Articles, each colony was left in control of its own local affairs; but common interests were to be guided by a central board of eight commissioners, who were empowered to decide upon all questions of war and peace, to fix the respective contributions in men and money, and to pass upon applications of other colonies for admission to the Confederation. Six members of the board constituted a quorum. So the four members were all on the same level as regards influence in spite of the fact that the Bay Colony had a population of fifteen thousand, while the others had not over three thousand each. Again Massachusetts agreed to furnish one hundred men for military purposes for every forty-five furnished by each of the others. Only one concession was made to the largest and wealthiest of the four members: that two meetings out of every five should be held in Boston, an empty honor, when Massachusetts could be bound by the action of the three smaller members.

It is significant that the Articles contain no reference to the English government. The dominant part of New England had really taken its affairs into its own hands, regardless of king or Parliament. And when some of the English authorities criticized the New England governments for forming the Confederation, their agent, Winslow, had ready an unanswerable argument: "If we in America should forbear to unite for offence and defence against a common enemy till we have leave from England, our throats might be all cut before our messenger would be half seas through."

Challenge to
England

During the troublous times of the Civil War and the Commonwealth, Massachusetts ignored English authority. In 1644 the General Court voted to inflict punishment upon anyone who should attempt to raise troops for the king. And the Bay Colony was just as ready to flaunt the power of Parliament as that of the Stuarts. In 1651 Parliament suggested that the Massachusetts Charter be surrendered, in return for a new one properly issued by the new government. The only reply ever made was that the men of Massachusetts were quite content to live under a governor and magistrates of their own choosing, and under laws of their own making. Further

proof, if any were needed, of the independent attitude of the colony came in 1653, when the authorities in Massachusetts refused to permit any public proclamation of the elevation of Cromwell to the office of Lord Protector. And there is no reason to doubt that the smaller colonies took their cue from their more imposing neighbor. As Professor Andrews once put it, in New England "neither statute nor code during the first half century made any reference to any sovereign other than God."

Failure of the
Federation

The Confederation handled such matters as relations with the Indians, and with the Dutch, along with boundary and tariff disputes among the members themselves. During the period of King Philip's War its work was decidedly important. But the Articles had been in force less than ten years when the first serious manifestations of weakness occurred. In 1652, against the wish and in spite of the opposition of Massachusetts, the commissioners voted for war against the Dutch. The Bay Colony thereupon refused to provide any forces for the campaign and the minor members had no way of coercing their recalcitrant neighbor. This breakdown in the functioning of the Confederation could never be repaired, and although the commissioners continued to meet regularly until 1684 and irregularly thereafter they accomplished little.

After the Restoration in England, the Confederation was weakened still more by the consolidation of two of the members, Connecticut and New Haven. Moreover, Charles II was not unwilling to show favors to Rhode Island and Connecticut in order to offset the growing power of Massachusetts, and these two colonies in turn were ready to assist in the process of humbling the Puritan stronghold.

Although the Confederation was only a partial success, its history cannot be overlooked, because it epitomizes so much of American growth. The forces which were destined to create the United States were present and at work in connection with the Confederation. Expansion, the sense of need of common action, compromise, and a written agreement to work together were typical of the later stages of American development. So too were the differences among the members, and the tendency, sometimes revealed, for one member to go its own way regardless of the others. In fact, the chief weakness of the Confederation was the refusal of Massachusetts to pay due regard to the needs of her neighbors.

British Expansion in North America

NEW COLONIES

THE PERIOD of personal rule of Charles I ended in 1640. It was a time of widespread political discontent in England, proof of which may be found in the "great migration" to the American colonies. By 1640 nearly twenty thousand settlers had come to New England, and this was less than one-third of the total number of emigrants. During this time the population of Virginia increased to eight thousand. Thousands more went to the British West Indies: more than eighteen thousand to Barbados, twelve thousand to St. Kitts, four thousand to Nevis. Englishmen had become colonial-minded and they showed their confidence in America by going there.

The Great Migration

While Virginia was developing its system of prosperous tobacco farms, Maryland, another agricultural colony, was founded immediately to the north. The promoter of this enterprise was George Calvert, Lord Baltimore. As a Secretary of State he had been able to keep in touch with the growing interest of the government in the Virginia colony. His own enthusiasm for colonial projects can be seen in his membership in both the London and the Plymouth Companies. He succeeded in securing the promise of a charter from Charles I, but he died before the document was ready. In 1632 his son, Cecil Calvert, received the charter and prepared to carry out his father's plans.

Maryland

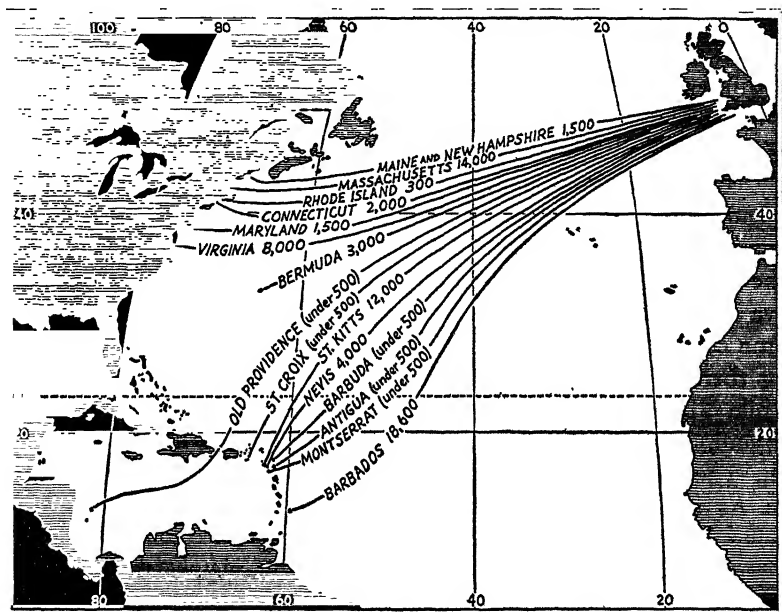
The territory conveyed included the land between the northern boundary of Virginia and the fortieth parallel of latitude. The land system to be installed therein was feudal in character. Fortunately, the system of government was more modern than the land system. The proprietor was given authority to make laws, with the advice and consent of the freemen or their deputies. These laws must not be inconsistent with the laws of England, and the charter expressly provided that no interpretation should be placed upon it which would limit the allegiance to the king. These two limitations would tend to keep both the proprietor and his legislature from getting too far away from English control.

With reference to religion, Calvert, or Lord Baltimore, was given the patronage of all churches, with the express provision that they were to be "dedicated and consecrated according to the Ecclesiastical Laws of our Kingdom of England"; that is, the charter called for the establishment of the

Anglican Church in the colony. But Baltimore reasoned that the document did not prohibit the introduction of other churches; hence he permitted Catholic priests to conduct Roman Catholic services.

It seems that the leading motive in George Calvert's mind had been a desire to found a great family estate in Maryland; his son Cecil, however, was interested in providing a place of refuge for persecuted Catholics. When he inherited his father's title, the two motives were joined. But the English

Religion



From Saville's *The Foundations of American Civilization*

MAP 5. THE ENGLISH MIGRATIONS TO THE AMERICAS, 1607-1640.

laws against Catholics were very severe at that time, and any open attempt to found a Catholic colony would have aroused enough protest to cause the revocation of the charter. Of his settlers, probably 75 per cent were Protestants, and they could not be offended with impunity, especially in matters of religion. Cecil Calvert sent his brother Leonard over as the first governor, and in his instructions he defined his religious policy as one of toleration. The officials were to be careful "to preserve unity & peace amongst all the passengers," and to permit "no scandall nor offence to be given to any of the Protestants." Moreover, "all Acts of Romanie Catholique Religion" were "to be done as privately as may be." All Catholics were ordered to "be silent upon all occasions of discourse concerning matters of Religion," and the governor was warned to "treate the Protestants with as much mildness and favor as Justice will permitt."

Lord Baltimore knew how sensitive people were over Catholicism, and he was not eager to risk the loss of his charter. But the Jesuits who accom-

panied the first settlers were not blessed with the proprietor's sense of caution. They ignored the instructions, celebrated mass in public, and went out of their way to assert the supremacy of the Canon Law over acts of the Maryland Assembly and over Acts of Parliament as well. When this news came back to England, Baltimore saw to it that his original instructions were observed.

When the colonists reached Maryland, their actions showed that Lord Baltimore had profited from the experience of Virginia. The site selected for the first settlement—St. Mary's on the Potomac—was satisfactory, especially in regard to health. Again, while Jamestown had been settled in May, Baltimore's first colony was so timed that it would be started in February (1634) in ample time for spring planting. Special efforts were made to begin food production without delay, and both corn and tobacco were planted that first season. In Maryland there was no fruitless search after gold, and consequently no "starving time."

In spite of this propitious beginning, the colony did not become really prosperous until the eighteenth century. For one thing, few settlers went to Maryland. The average Protestant colonist preferred to go to Virginia or to Massachusetts, while the Catholics were always looking for better times at home, and so preferred not to emigrate. Again, Lord Baltimore's land system was not liberal, and it could not compete with the far more satisfactory systems in both Virginia and Massachusetts. The average frontiersman wanted his own land, without the trappings of feudal tenure. Eventually Maryland became a prosperous agricultural colony, and the cause of the change for the better is to be found in that all-important factor in American history: the westward movement. As the back country was settled, the farmers found that they could raise wheat. This proved to be a valuable product, considerably more so than tobacco, which they had tried at first. The tobacco market was limited, while the West Indies consumed all the wheat they could get.

Any list of the builders of the United States, of the men whose solid constructive work contributed greatly to the development of the growing nation, should give an important place to the name of Charles II. His colonial interests were wide and varied. In addition to granting liberal charters to two of the New England colonies, he was actively concerned in promoting new enterprises in the unsettled regions along the Atlantic coast, thereby linking the English colonies together. His work was an essential preliminary to any plan of union in British North America. To be sure Charles was noted for his unpuritanical temperament, and as so often happens, his minor escapades attracted more attention than his great efforts as an empire builder.

When the Stuarts and their Cavalier friends returned to England after their exile in Scotland and France, their most pressing need, both as individuals and as a class, was to restore their wrecked fortunes. Eager as they were to fill their own pockets, they were equally alert to find revenue for

Charles II and
the Cavaliers

the public treasury. This responsibility fell upon the king, who was still the head of the executive department. Parliament might restrict him in his plans for taxation and in his expenditures, but Parliament had not at that time taken full charge of government finance.

The most promising source of wealth was the New World. Englishmen knew something of the profits in tobacco and in the fur trade, and they could see no reason why other economic interests should not be developed. Moreover, the colonies belonged to the king, so that Parliament, which had already upset some of the royal plans for England, could not interfere. Thus it happened that both Charles II and his brother James, the Duke of York, turned their attention to founding new colonies and to reorganizing some of those already established. Associated with the Stuart brothers in this work were Clarendon, the king's devoted follower and minister, noted for his *History*—and for the sound moral advice which he wasted upon his master—and Anthony Ashley Cooper, Earl of Shaftesbury, one of the founders of the Whig party. John Locke, the philosopher, also helped to establish colonies which were destined in time to use his own philosophy to justify their fight for independence. Less famous perhaps, but equally interested were Carteret and Berkeley, who were concerned in both Carolina and New Jersey. Likewise there was the king's cousin, Prince Rupert, the brilliant cavalry leader of the Cavaliers. The principle on which these promoters worked was simple. Through the development of the commercial possibilities in various new regions they could make their own fortunes, and at the same time by imposing tariff duties on the articles of this new commerce, the government could provide itself with revenue.

In 1660, when these officials began their work, the English colonies included New England in the North, with Maryland and Virginia in the South. But this intervening space was not empty; part of it, that on Manhattan Island and some of the interior, had already been settled by the Dutch. In the West Indies Cromwell had secured Jamaica and the British were already in possession of Barbados and the Bermudas. But these colonies were so widely scattered that the mere thought of union on a large scale would have been impossible. It fell to Charles II and his associates to fill in the gaps, and to consolidate English control along the Atlantic seaboard by driving out the Dutch.

The first venture of the Restoration speculators was in the region south of Virginia, called Carolina, in honor of the chief patron of the enterprise. The king granted the area to a group of proprietors, including Clarendon, Shaftesbury, Berkeley, and Carteret. Their aim was to make the Carolinas and the Bahamas centers of trade in semi-tropical products, such as almonds, silk, and wine. There were two charters granted, one in 1663 and another in 1665, although the second charter did little beyond enabling the proprietors to incorporate in their colony the offshoots from Virginia in the Albemarle district of North Carolina.

The charter provided for a government under the direction of the proprietors, with the assistance of a representative assembly. Likewise, as in the case of Rhode Island and Connecticut, it contained a guarantee of religious toleration, provided that the people who enjoyed these "indulgences and dispensations" should declare their loyalty to the king, and should "not in any wise disturb the peace and safety . . . or scandalize or reproach the Church of England or its adherents."

The first settlements were those already made independently of the proprietors, before the charter was granted. These had been started by emigrants from Virginia, in temperament and spirit not unlike many of the Rhode Islanders. They were a quarrelsome, rebellious lot, unable to get along with each other or anybody else. Having left Virginia to escape the restrictions of that colony, they did not take kindly to the regulations of the Carolina proprietors.

The proprietors did not succeed in sending colonists to Carolina until 1670, and in 1672 their settlement numbered only four hundred persons. Compared with the rapid growth of Massachusetts, this slow progress was discouraging. The failure to develop was not due to any lack of effort on the part of the promoters. Both Shaftesbury and Locke worked hard to build up the enterprise, but they could not overcome the odds against them. The land system, which had too many traces of medieval feudalism in it to suit pioneers, discouraged settlers. Moreover, the proprietors encountered obstacles in the way of their plans for the colony similar to those of the London Company in Virginia. The crops which had been depended upon to bring prosperity would not grow, and it took time to find out what could be produced with profit. The South Carolina farmers raised food, for export to the West Indies, and incidentally to supply the pirates who were flourishing in those days, but there was no real prosperity until rice culture was undertaken in the eighteenth century.

The system of proprietary control lasted until 1719; then, after ten years of confusion, the Crown purchased a seven-eighths interest in the Carolina title, and proceeded to organize two royal colonies, North and South Carolina.

During the first half of the seventeenth century, while the English were consolidating their hold in Virginia and in New England, the Dutch West India Company began to occupy the middle region of the Atlantic coast, particularly Manhattan Island and the valley of the Hudson River. By 1660 they had a flourishing settlement on Manhattan which they called New Amsterdam and an important post for the fur trade at Fort Orange, where Albany now stands. The Dutch disputed unsuccessfully the right of the Puritans to settle near the Connecticut River. Checked in this quarter toward the east, the Dutch then worked toward the south and west and made small settlements in the valley of the Delaware River. In the meantime, Puritans from Connecticut moved across the Sound to Long Island

and a few Englishmen settled west of the Hudson, two regions which were at that time claimed by the Dutch.

Of all the Restoration colonial projects perhaps the seizure of this Dutch colony of New Netherlands was the most important, both for strategic and for economic reasons. The Dutch title was based partly on purchase and partly on priority of occupation. But the English government claimed the whole continent of North America by virtue of John Cabot's discovery in 1497. To be sure, neither the Spaniards who were in Florida nor the French who were in Canada had paid any attention to the claim, and the Dutch had as much right as the others to settle where they pleased. But in those days the clearest title of all was neither priority of occupation nor priority of discovery, but superior force. From that point of view the English claim was not open to dispute. Charles II never recognized the validity of the Dutch title and oddly enough his theory was upheld by an American court some two hundred years after his death. In 1889 a court in New York State held that the Dutch had been trespassers and that the English had really 'owned the land continuously after 1497.

These Dutch settlements in North America were peculiarly valuable. New Amsterdam had the best harbor on the Atlantic Coast, while the Hudson and Mohawk Rivers constituted one of the few comparatively easy roads into the interior, to the fur-trading territory. In 1664, the king granted the whole territory of the Dutch in North America to his brother, and changed its name to New York. As an excuse for the seizure, the king alleged that the Dutch were carrying Virginia tobacco to continental ports, and so interfering with the proper regulation of the tobacco trade. Unfortunately for the Dutch, the charge was true. But the real reason for the grant was the desire to eliminate the Dutch and to destroy their trade. In 1667, after a short war, the Dutch surrendered their claim. They resumed possession in 1673, but in the following year they finally surrendered both land and title to the English. As long as the Dutch held the Hudson River, union of the British colonies was out of the question. This removal of the Dutch obstacle to expansion and union was second in importance only to the removal of the French a hundred years later.

For the government of New York James and his associates put into effect a code known as the Duke's laws, based upon laws already in operation in Massachusetts and New Haven. In 1683 provision was made for a legislature, similar to those in the other colonies, but when James became king this was abolished. In 1691 it was re-established on a permanent basis. Unlike the Carolinas, New York grew rapidly. The Dutch had already established connections with the fur-trade, and this interest was duly promoted by the new rulers. In addition the colony raised provisions for export and New York quickly became one of the leading commercial centers in British North America.

In 1664 the Duke of York ceded a part of his grant, the territory later

called New Jersey, to two of the Carolina proprietors, Berkeley and Carteret. Even before the grant was made, there were a number of English settlers already located there in addition to the Dutch who had claimed it as a part of New Netherlands. In the southern part there were a number of Swedish colonists. The population in both New York and New Jersey was more cosmopolitan than in Virginia or New England. The history of the Jersey settlements is too complicated to be told here. English Quakers became interested in the province, even before William Penn secured his grant in Pennsylvania, and in 1674 a group of them bought Berkeley's share. After a good many vicissitudes, the two parts of the territory, east and west, were united to form the royal province of New Jersey (1702). New Jersey

The interests of the Restoration leaders were not confined to these three territories within the limits of the later United States. In 1670 Charles II granted the Bahamas to the Duke of Albemarle and other proprietors who were all directly or indirectly interested in the Carolina experiment.

But the enterprise that most clearly reveals the bold imagination of these noble adventurers was the establishment of the Hudson's Bay Company. Some French fur traders had learned from the Indians of an easy route from Lake Superior to Hudson Bay. This discovery promised easy access into the very heart of the fur-trading country, so that the possessors of it would be freed from the restrictions imposed by the French government in Canada. It so happened that the Frenchmen who learned of this route were not financially able to take advantage of its possibilities; moreover, they had become involved in difficulties with the officials of New France, and also with French Jesuit missionaries. In their search for assistance they tried first to arouse the interest of a group of Boston merchants, and when these failed to grasp the opportunities they turned to Paris. After another refusal there, they turned to Charles II of England. The king was particularly interested in the proposal, partly because he saw here a chance to reward Prince Rupert, who thus far had been overlooked or left out in the distribution of colonial favors. In 1670 the king chartered the Hudson's Bay Company with Prince Rupert as its first governor. The close connection of this new venture with the others is revealed in the membership of the company. On those rolls appear the same names which are found in the Carolina grant. Hudson's Bay

The colony of Pennsylvania was founded by an intimate friend of many members of the court circle. The story of Admiral Penn's sacrifices in behalf of the Stuarts is well known; so likewise is the story of William Penn's adoption of the Quaker faith. His conversion to that despised sect made him temporarily a social outcast. The Quakers in general were not only not recognized in polite society but they were both despised and hated by almost every man who considered himself a gentleman. In the face of all this William Penn succeeded in retaining the respect of his friends. He had for some time been interested in the theoretical aspects of govern- Pennsylvania

ment, and these speculations became bound up with a desire to help his fellow Quakers. The indebtedness of Charles II to Admiral Penn enabled the young Quaker to put his theories into practice. In 1680 William Penn asked for a grant of land in America, not in settlement of the debt, but merely in consideration of the circumstances in which the debt had placed him. The charter was granted in March, 1681. The terms were carefully drawn to include the colonial experience of Charles II.

In the earlier charters almost no provisions had been inserted for the purpose of providing for British supervision of the proceedings of colonial officials. In fact, the only restriction had been the requirement that colonial laws must not be inconsistent with the laws of England, and even this requirement was left without any provision for enforcement. As a result some of the colonies, notably Massachusetts, had attended to their affairs as they pleased regardless of the wishes or the interests of England. As the system of commercial regulations was gradually extended, it became more and more difficult to secure due observance when the majority of local officials were not responsible to the Crown. The Pennsylvania charter was framed to meet these problems and to keep the colony tied closely to the growing empire.

Among other things the charter required the proprietor to keep a resident agent of the colony in London, ready to answer queries or complaints concerning the non-observance of the laws of trade. This agent was required to pay within a year any damages awarded by the courts. Failure to do so would give the Crown full right to annul the charter, and to take over the government of the colony. All Pennsylvania laws had to be submitted to the Privy Council and that body could disallow them any time within six months after they arrived. Furthermore, the charter reserved to Parliament the right to levy taxes in Pennsylvania. Here was a principle destined to be the subject of bitter controversy in the eighteenth century.

Penn and his heirs received the necessary authority to make laws, with the consent of the freemen, or of their deputies meeting in a representative assembly. But the proprietor was empowered to issue ordinances without the consent of the freemen in case it should be inexpedient to call the representatives together. Fortunately perhaps for the colony, the first proprietor was not the man to push this privilege to extremes. William Penn planned to interpret his charter as liberally as possible, and at the very beginning he promised prospective colonists that they should live under laws of their own making. He felt that the matter of institutions was not of primary importance. For, as he wrote:

Any government is free to the people under it, whatever be the frame, where the laws rule and the people are a party to those laws, and more than this is tyranny, oligarchy or confusion. . . . Let men be good and the government cannot be bad; if it be ill they will cure it. But if men be bad, let the government be ever so good, they will endeavor to warp and spoil it to their own turn.

Penn himself came to his colony in October, 1682, and personally supervised the work of laying out the capital city, Philadelphia. He made a treaty of peace and friendship with the Indians and organized the colonial government. He did not seem disturbed when, in the following year, the assembly drew up a new system of its own and adopted it. Penn philosophically let them do it their way, realizing that there was very little difference between the new form and his own.

The new colony was well advertised and its prospective advantages were soon known all over Western Europe. By 1685 there were over eight thousand settlers in Pennsylvania, a motley collection, including Swedes, Danes, Finns, Dutch, Germans, Welsh, Scottish, Irish, and a few French. Only half the inhabitants were English. Penn's colony, therefore, was the first one to be made up of the mixture of races destined to become the population of the United States.

Delaware was originally a part of Pennsylvania, sometimes referred to as "the three lower counties." In 1702 it became a separate colony with its own legislature, although it still remained within the jurisdiction of the governor of Pennsylvania.

The last of the thirteen continental colonies, Georgia, was not founded until 1732. Along the coast this valuable territory between South Carolina and Florida had been partially settled by the Spaniards. The Spaniards had also investigated the rumors of possible mineral wealth in the mountains while the French, working up from Mobile Bay, were beginning to realize the advantages in the Indian trade there. The English also had sent various exploring parties into the region even before 1730.

Georgia

The plans for settlement called for the establishment of a sort of combination barrier colony and philanthropic enterprise. The new colony might serve to ward off possible Spanish danger from the south, and to receive the worthy poor who cared to try their fortunes in the New World. Georgia was started as a proprietary colony, although the board of trustees named in the charter were prohibited from receiving any profits and all financial accounts were to be submitted to the British government. The charter gave the company power to make laws and to enforce them; it made no provision for a representative assembly. All officials, except revenue officers, were to be appointed by the company, although the governor had to be approved by the king. The system of proprietary government was not satisfactory, and in 1752 Georgia was added to the list of royal colonies.

By 1732, therefore, the British Empire on the continent of North America included thirteen separate colonies, extending from Massachusetts to Georgia. In addition England had Nova Scotia, acquired from France in 1713, and Newfoundland. In the West Indies, England owned Barbados, Nevis, St. Kitts, and Jamaica, all prosperous colonies. Here were thriving farms, villages, and towns, successful communities of energetic, self-reliant people.

THE FIRST FRONTIER

Although some of these colonies had the misfortune of a relatively slow development at the start, once they began to grow they increased rapidly in population and in economic prosperity. In 1607, before the founding of Jamestown, the white population was, of course, zero. The following table shows what happened during the next century and a half.

COMPARISON OF POPULATION

	1689	1760
New England	80,000	473,000
Middle Colonies	45,000	405,000
Southern Colonies	95,000	718,000 *

* Nearly 300,000 of these were Negro slaves.

The figures for 1760 would suggest that the American people were moving into new territory away from the seaboard. As a matter of fact, the process of colonization was only begun when the seaboard colonies were established. The Americans were occupying a region that was imperial in extent, a fact of which they were becoming aware. And every additional step toward the West meant the inevitable transfer of the center of interest from Europe to America. It was not until after 1815 that the United States definitely "turned around and faced the West," but preparations for this significant shifting about can be traced back to the first offshoot from Jamestown.

The tidewater settlements have already been described. Coming approximately from the same stock, the first pioneers found that their environment had a pronounced influence in shaping their institutions. The New England town, with its small farms, worked by the owners, was very different from the southern county, with its large plantations, cultivated by Negro slaves. And yet in both these sections, even as late as 1750, the people were still predominantly European in point of view.

Beyond the tidewater regions lay the so-called piedmont. In this section, running from Maine through Vermont, New York, and Pennsylvania south to Georgia there was gradually built up a new society, farther removed from Europe, both in distance and in mental attitude, and still further modified by American conditions.

The same causes sent settlers into this upland region which had sent the first Virginians beyond Jamestown. People were attracted by cheap land, which was becoming a thing of the past in the tidewater. Both the discontented and the genuinely ambitious free laborer or indentured servant saw in the frontier the land of opportunity. Moreover, in addition to a steady stream of recruits from the older colonies, there was an increasing tide of new arrivals from Europe, attracted to the relatively unsettled regions by the hope of economic independence and political freedom.

Reports concerning the value of this back country were circulated through the colonies by fur-traders, who had ample opportunities to estimate its possibilities, and by official explorers sent out by colonial governors or by colonial land companies. Almost on the heels of the explorers followed the cattlemen, in search of free grazing lands, just beyond the established settlements.

Even by the last quarter of the seventeenth century the westward stream had grown large enough to bring about serious contests with the Indians. And this fighting did not consist of sporadic attacks and aimless battles. It was a war of extermination, as both sides well knew. Farms and the fur-trade could not exist together, and the fur-trade had to go. As it receded westward, so too did the Indian barrier. King Philip's War in New England, and the Tuscarora War in the Carolinas freed those sections from Indian danger. By the early years of the eighteenth century, tidewater and piedmont were fully opened to settlement. This process of removing the Indian menace had to take place over and over again, on each new frontier, until the whole country was occupied. It is more than a coincidence that the frontier line disappeared from the census maps in 1890, the year of the last Indian uprising.

Throughout the eighteenth century, there was a steady migration from the older colonies and from Europe into the back country. In 1690, beginning at the north, there were settlements only along the rivers in what is now the state of Maine, while Vermont was still unsettled. In New Hampshire there was no occupied country beyond a line drawn twenty-five miles from the coast. Massachusetts had one block of settlements reaching fifty miles westward from the coast, and another in the Connecticut valley. By 1760 central Massachusetts and the Berkshires were occupied, New Hampshire was filling up, and Vermont had numerous towns. This region was typical frontier country during the generation before the Revolution. Land grants were made by the governors of both New Hampshire and New York, and two groups of settlers, one from each of these older colonies, carried on a small-scale war to clear up their titles. Taking the law into their own hands, "Green Mountain Boys" threatened, flogged, and occasionally shot the "Yorkers." When the Revolution came, the Vermonters set up a state government of their own, and for the next fifteen years vainly petitioned Congress for recognition. In New York the settlements followed the Mohawk valley westward toward the Great Lakes, and in Pennsylvania the piedmont filled rapidly, especially after 1725.

New
Frontiers

In the South there were two lines of settlement. Pioneers from the tidewater colonies and newcomers from Europe passed on through the occupied territory to the open spaces beyond. Then thousands of Scotch-Irish and Germans entering at Philadelphia moved first into the upland regions of that colony, and from there southward, up the Shenandoah valley in Virginia and on into the Carolinas and Georgia.

German
and Irish
Immigrants

Moved by political, economic, or religious discontent, the Germans came over in large numbers by 1710; and by 1730 there were over twenty thousand, mostly in the western part of Pennsylvania. By 1756, about seventy-five thousand Germans had arrived. Some followed the valleys into the South, while others remained in Pennsylvania, where their descendants, incorrectly labeled "Pennsylvania Dutch," live to this day.

At about the same time, 1715, a heavy emigration started from Ireland, consisting both of Protestants of Scottish ancestry, and of Catholic Irish from the Ulster counties. Irish farmers found their prosperity threatened, if not ruined, by the British commercial regulations, and the artisans complained about British restrictions on woolen manufactures. Furthermore, neither Catholics nor Presbyterians cared to support the Anglican Church in Ireland. Part of this stream moved on away from the coast, to settle in Worcester, Warren, and Pelham, Massachusetts. Some followed the Connecticut valley toward the north, and occupied Windsor and Orange counties in Vermont, and Grafton County, New Hampshire.

Larger numbers went to Pennsylvania, taking up land in the Susquehanna valley, and then spreading out over the western sections of the colony. Then, by 1735, the Scotch-Irish began moving up the Shenandoah valley. Some settled in what is now West Virginia. Others drifted on, and between 1740 and 1760 they made widely scattered settlements from Virginia to the mountains of northern Georgia.

Southern
Mountaineers

Attracted either by rumors or by hope of better farm land in these mountain valleys, the more venturesome pioneers started little eddies of settlements at scores of out-of-the-way, inaccessible spots in this new country. In Pennsylvania and Virginia they continued to develop, as the surrounding country became prosperous. In the Carolina and Georgia mountains they stood still, largely because they could find no outlet for their produce. Thus, isolated from the rest of the world, they and their descendants preserved, unintentionally of course, the primitive conditions of the frontier. Even late in the nineteenth century families in these sections were living as their great-grandfathers had lived when the country was new. The houses were frequently one-room cabins, sometimes with a loft overhead, sometimes without. Families had anywhere from eight to a dozen or more children. Food for the family was raised in part, and in part killed in the woods. And along with the primitive cabins there is still preserved in the isolated sections even the language of these eighteenth-century pioneers. Verb forms, such as "holp" instead of "help" for example, can be heard today. Moreover, some of these mountaineer cabins conceal curious reminders of better days and of a higher level of civilization. Families, not one member of which can read, sometimes show to curious visitors, perhaps a volume of Horace or Vergil, or a rare copy of *The Faery Queen*, brought over from Scotland or Ireland, carried along with a few other treasures on the trip from Pennsylvania to a cabin not far from the great modern hydroelectric power plant

at Tallulah Falls, Georgia. Or again, in some of these families, isolated from the rest of the world for three generations, there still survive some of the old arts and crafts of the eighteenth century, such as the weaving of blankets and bedspreads in old patterns. Still more rarely, visitors find an occasional piece of genuine willowware china, a product of eighteenth-century England, in some way saved from destruction. These scattered memorials establish a clear connection with the great eighteenth-century migration.

By 1750, stretching from Maine to Georgia, there was a back-country district territorially distinct from the tidewater. In this region could be found a population radically different from that in many of the older sections. Here were people of slender means, hardened by contact with an untamed environment, tilling their small farms with their own hands. They were independent of labor, either slave or hired, and even more independent of the conventionalities of civilization. Even this early some of the Westerners were inclined to be resentful of Eastern control. It was a democratic society, with the members on the same level, tolerant of much that the aristocratic commercial centers spurned, made up of self-reliant, self-respecting frontiersmen. This process of moving from old to new frontiers was repeated again and again until the area of settlement eventually included the Pacific coast.

Economic and Social Life in the Colonies

ECONOMIC OPPORTUNITIES

Making a Living

THE FOUNDING of new colonies and the occupation of the frontier would suggest that settlers in the New World were able to make a living. They were, and some of them became wealthy. For the man of average physical strength who was willing to work, the colonies offered better economic opportunities than were to be found in England, and American history consists in large part of the development of these opportunities. In some respects this business of making a living was the most important part of our early development, for without it there would have been no story worth the telling. Neither the land nor its resources alone would have made a great nation. But the combination of land, resources, and an energetic, intelligent people furnished abundant materials for history. The colonists came to America to work—to catch fish, to trap wild animals, to cut wood, to raise hogs, corn, and wheat, to build houses and ships, to buy and sell goods. A moving picture of these activities would show the colonists opening up new territory, thousands of square miles of it, and turning it into pasture lands and farms. It would show flocks of sheep and herds of cattle where once were deer and wolves. Settlers would take over the hunting grounds of the Indians, and farms, villages, towns, and cities with schools and churches would appear in what had been a wilderness. On the streams in the back country there would be sawmills turning out cut lumber, and beyond these, trappers and fur traders, living almost like the Indians whom they were so rapidly displacing.

Agriculture

Among economic activities, farming is basic and indispensable because the human race has never managed to live long without food. Not all people, however, need to be farmers. Today millions of persons who have never grown a tomato or an ear of corn make a living from industry or commerce or the professions, but they can do so because other persons produce food for them. This arrangement under which some people raise food while others manufacture and sell goods, teach school, or write books is possible only in well-organized communities where land is both extensive in area and rich in productivity, where the facilities for the distribution of goods and the exchange of services are highly developed, and where property and life are secure against attack. In a new country these conditions are not

present, and if people want to eat, they need to be close to the land. For this reason nearly all the American colonists had to be farmers and 95 per cent of them were. The conditions under which farming was carried on and the kind of crops raised depended on soil, climate, local needs, and outside demands. Because these factors differed widely in the various colonies, agriculture developed along several lines.

In South Carolina the early settlers found profit, or at least sought for it, in raising Indian corn, hogs, and cattle. It was not long before they began to appreciate the value of their timber resources, and to their farm produce they soon added the products and by-products of the forests: lumber, tar, and turpentine, the ships' stores so much in demand.

South Carolina did not become prosperous until rice culture was introduced. Rice was first grown there about 1690, and the experimenters soon realized that the low lands along the coast were peculiarly favorable for the successful development of the crop. It became profitable almost from the start, so much so that the planters sometimes trebled their capital every three years. In 1700 the colony exported a few hundred barrels of the grain, and from that time on to the American revolution the rice trade brought economic prosperity. The table gives the figures for the increase in production. It should be noted that between 1740 and 1750 the size of the barrel was enlarged so there was an increase in the quantity exported in spite of the decrease in the number of barrels. The larger barrel was regularly used after 1750.

Rice and
Indigo

	<i>' Barrels</i>
1720	17,000
1730	43,000
1740	91,000
1750	48,000
1755	96,000
1761	101,000
1774	125,000

About fifty years after rice culture was started, the daughter of an English army officer learned that indigo would flourish in South Carolina. Since chemists had not yet discovered the art of making dyestuffs in the laboratory, textile manufacturers had to depend on vegetable coloring matter. So indigo had a high commercial value and became a second money crop. Cotton, which became the most important southern crop after the Revolution, was not raised in commercial quantities before 1775.

Away from the coast and beyond the range of cornfields, the pioneers in Carolina used the unoccupied land as pastures for livestock. Grazing was free and food was abundant. Horses, cattle, and hogs could almost take care of themselves, subject to an occasional round-up. At these ceremonies the unbranded animals were distributed among the owners of the various herds. Under such conditions it cost little to raise horses for export, and to produce

meat for both local use and trade. Salt beef and salt pork should be listed among the important products of the Carolinas.

The Tobacco
Colonies

For a time the economic interests of North Carolina, Virginia, and Maryland were so much alike that these three colonies may be treated as a unit. Farming was their chief industry, and during the seventeenth century their most important crop was tobacco. Tobacco's popularity created an immense demand which the Americans were able to satisfy. Tobacco had saved the first settlements in Virginia from failure, and tobacco brought a continuous income to the communities which raised it. The conditions under which the crop was produced exerted a definite influence on the mode of life. The planters needed plenty of land because the cultivation of tobacco soon exhausted the fertility of the soil, and modern methods of maintaining productivity by means of commercial fertilizers were yet to be discovered.

The plantations were large enough to keep the houses separated and to prevent the growth of compact villages and towns of the sort which became common in New England. With a scattered population, town meetings were out of the question; thus the county, rather than the town, became the unit of local government and the basis of representation in the House of Burgesses. In the eighteenth century there was one more striking development common to both the rice-growing areas in South Carolina and the tobacco colonies of the upper South: Negro slavery. With crops requiring hard muscular effort rather than skill in their cultivation, and on large estates where the laborers could work in gangs under the watchful eye of a single overseer, slave labor was profitable. Introduced first into Virginia, slavery spread among the other English colonies as they were founded; but it was only in the South that the institution became almost inseparably connected with essential economic customs.

By 1750 these southern colonies had two distinct types of agriculture: the plantation system in the tidewater region and the small farm in the uplands or piedmont section. The farmers in the piedmont depended on their own efforts more than on the labor of slaves. They too raised tobacco, but after 1700 many of them found a profit in wheat. After 1740 Baltimore, Maryland, became an active export center for wheat raised not only in Maryland but also in Virginia and Pennsylvania.

Middle
colony
farming

The soil of Pennsylvania, New Jersey, and New York was unusually rich, so rich that farmers could raise crops of wheat year after year on the same land without going to the trouble and expense of putting in fertilizer. When the land was worn out it could lie fallow—that is, remain uncultivated—until grass began to grow. Then it could be used for pastures, for there was still more land available for farming. In this region there was less specialization than in the South. Wheat was the most important crop, and the land produced twenty-five or thirty bushels per acre, which was more than English farmers were accustomed to get. Middle colony farmers also raised corn, barley, rye, oats, and buckwheat. Favorable soil and climate

gave the people here an abundance of fruit: apples, peaches, pears, and cherries, as well as such luxuries as melons.

Outside the lower Hudson valley in New York, where the Dutch had left a tradition of large estates, the average agricultural unit in the middle colonies was the small farm. Most of the owners worked on their own lands, and while there were some slaves in Pennsylvania, free labor was the rule. Young men could work on their home farms or work out for wages without loss of social standing.

Over large areas in New England the land was rocky and the soil thin. Poor land, then as now, demanded more work than good land, and hired labor was expensive. The farmers therefore kept their holdings down to what they could cultivate themselves. Thus the average farm was small, varying from ten to one hundred acres. Neither climate nor soil favored slavery; the slaves lacked the ambition for the kind of hard work which alone could make farming pay in New England. But the Yankee farmer had an abundance of energy and hope and he compelled the soil to reward his labor. Besides wheat and corn, the New England farms produced oats, barley, and rye. They raised the Indian vegetables—pumpkins, squash, beans—and such imported food crops as carrots, turnips, and peas. Fruit trees, including apples, pears, cherries, and plums thrived. Peaches would grow in parts of Connecticut and Massachusetts. The New England farmer kept one or two horses, a yoke of oxen, ten or fifteen head of cattle, a few hogs, and possibly a few sheep. He made his own butter and cheese, killed and salted his own meat, cut his own fuel from his own farm, and provided himself with practically all necessities except a little iron and such luxuries as sugar, coffee, tea, and rum.

New England

In New England the various governments granted land under approximately similar conditions. A group of settlers known as proprietors would secure from the legislature an area containing about thirty or forty square miles. This would comprise a township. The proprietors then divided the land among themselves, so distributing it that each individual received a share of meadow for raising grass, a portion of good tillage land for general farming, some upland pasture, and a stretch of forest. With this arrangement, each proprietor was as well placed as his neighbor. Many of the farmhouses in New England were grouped around a village green, or common, close to the church, with the farmland, pasture and woodlots stretching back away from the settlements. The famous Common in Boston, Massachusetts, still exists as an interesting memorial of this old village arrangement, and one does not drive far in New England today without coming upon town after town laid out in the traditional manner.

Throughout the American colonies the tools and implements used on the farms were those which had been common in ancient Egypt when the children of Israel were held captive there. The plow and harrow had been slightly improved, perhaps, but no good Egyptian farmer would have found

them very different from his own. The hoe, rake, sickle, scythe, and flail were all in common use in seventeenth-century America as they had been in Egypt long before the Christian era. Horses, mules, and oxen furnished power and the cart, wagon, and carriage provided means of transportation. It was not until well along in the nineteenth century that farmers began to use real machines as distinguished from simple implements and tools.

Although agriculture is the one economic activity essential to the maintenance of life itself, trade is necessary for civilized living. People may continue to exist without trade for generation after generation, as Southern mountaineers did for so many years before the coming of the automobile and good roads. But they have few of the comforts and none of the luxuries which make life pleasant. Just as soon as a farmer can raise more of anything than he needs, he can sell his surplus—if there are non-farmers somewhere who want food—and use the proceeds to buy something which he needs but cannot raise. The real value of rice to the Carolinian, or tobacco to the Virginian, was not in the crop itself but in the readiness of people to buy these crops. When a planter could sell his rice or tobacco and with the proceeds buy furniture, table silver, books, pictures, perhaps a violin, his life became correspondingly richer. Commerce, the exchange of goods, enabled the colonial Americans to enjoy a number of luxuries which they could not produce, and in doing so helped to bring wealth and prosperity to the whole community.

In South Carolina the farms and forests provided the materials for a flourishing export trade. With fair regularity the Charleston dealers found an opportunity to sell provisions to coasting vessels plying up and down the seaboard, or between the continent and the West Indies. Less frequently, but often enough to deserve mention, they did the same thing for pirate vessels, then common in Atlantic and West Indian waters. In the West Indies they found a dependable market for their salt beef and pork, corn, and also for their tar and lumber. The South Carolinians owned practically no ships, so their exports were carried largely in English vessels. These in turn brought to the colony imports from England.

Because of the popularity of tobacco the Americans were able to send large quantities of this crop abroad. In 1649 Virginia alone exported a million and a half pounds of the leaf, and in 1753 nearly fifty-four million pounds. In six months of 1692, 136 ships laden with tobacco entered English ports. These came from Virginia and Maryland. In 1706 a single fleet of nearly three hundred vessels went to English ports from the tobacco colonies.

Just as the general mode of life in Virginia was influenced by the conditions under which tobacco was produced, so too were various economic customs shaped by the conditions under which it was sold. Here is an example: the colonists received little or no actual money in return for their tobacco. It was customary for the planters to ship their crop to English merchants "on account." During the year—also "on account"—they bought

whatever English supplies they wanted. As long as the planter lived, the books were rarely closed. They might show a profit for him one year and a loss for another, but in any case the account was carried along. As a result of this unsystematic arrangement, the planters always bought their supplies in England—clothes, furniture, table silver, wine, and other luxuries—and they were not infrequently in debt. English merchants sometimes lost their patience over these slipshod methods. In 1756 one of these merchants, a mild-mannered Quaker, wrote to a planter in Virginia: "Have yours of the 25th, 10th. month, and continue to admire at the excuses thou makes. . . . As to remittances thou may think them out of the question, however for forms sake I enclose thy account current balance still due £74 6s 5d; to be out of temper with thee is not worth while . . . however, perhaps, an honest fit may take thee and if it should, pray remember thy old friend."

Financing the
Tobacco
Trade

The planters were not entirely to blame for their inability to pay their bills. After 1700 the price of tobacco was almost always low. Heavy taxes were levied on the tobacco when it arrived in England, taxes that had to be paid out of small profits. Restrictions imposed by the British government prevented the Americans from shipping their tobacco directly to the continent of Europe, although 80 per cent of it eventually went there. It had to go to England first so that duties could be collected on it. This alone would have handicapped the planters even if they had no other difficulties to worry about.

Since, as an effect of all these causes, there was never enough money in circulation in Virginia to meet ordinary needs, tobacco came to be used as a measure of value, and warehouse receipts for tobacco in storage circulated like money. The salaries of public officials, even of clergymen, were fixed in pounds of tobacco rather than in pounds sterling. As the price of tobacco fluctuated from year to year, so the salaries measured in tobacco went up or down.

The export trade from the middle colonies furnished an excellent index to the economic interests of the people. From the farms came wheat and corn, exported both as grain and as flour and meal. There was also salt meat of various kinds—corned beef, salt pork, ham and bacon—and a smaller quantity of butter and cheese. Pennsylvania and New York sent out also livestock, both horses and cattle. From the forests came lumber, some of which was exported in the form of staves for making barrels and hogsheads for the sugar and rum trade. Most of the exports from these middle colonies went to the West Indies, which were indeed largely dependent on the British North American colonies for their supplies of food. With the money derived from this export trade in foodstuffs, livestock, and lumber, the merchants of New York and Philadelphia bought English manufactured goods for sale throughout the middle group.

West Indian
Trade

The merchants of the coast towns in New England exported grain, salt meat, and salt fish to the West Indies. Their ships returned with cargoes

of sugar and molasses, a by-product of the sugar business. In New England, the molasses was allowed to ferment and was then distilled to make rum. These distilleries were important in the economic life of the day. Newport, Rhode Island, had twenty-two of them at one time, and there were others in Medford, Boston, and Providence. In 1750 Massachusetts alone produced a million and a half gallons of rum. Some of this was used for domestic consumption, but more of it went to Africa, where it was exchanged for slaves.

From the profits of this commerce with the West Indies and with Africa the New England merchant was able to import cloth, glass, china, silver, tea, and wine from England. In addition to this trade, the merchant might run a peddling business up and down the coast, trading in kitchenware, cutlery, notions, and trinkets. He usually made a good profit wherever he stopped.

Essential to this active commerce, shipbuilding became an important industry in both the middle colonies and New England. Between 1727 and 1766 there were 1,650 ships registered in Pennsylvania, and of these 737 were built in Philadelphia. The pioneers in Massachusetts built and launched their first ship, *The Blessing of the Bay*, in 1631; by 1675 more than seven hundred ships had been built in Massachusetts alone. This activity in turn called for the growth of related industries such as sailmaking, ropemaking, and the manufacture of ship's hardware.

The frequent references to the West Indies would suggest that the North American colonies transacted much more business with them than with England. Aside from tobacco, naval stores, and a part of the rice, which did go to England, most of the exports from these colonies went to the West Indies. At the time this market was indispensable to the Americans. Most of their exports consisted of commodities wanted neither in the British Isles nor in Europe, so there was no market for them in the Old World. Without a chance to sell their products, the North American farmers at best could have done no more than make ends meet. On the other hand, the molasses which the New England distillers were so eager to get had been looked upon by the French and Spanish sugar refiners of the West Indies as sheer waste; in fact, they threw it away or fed it to hogs until they found that those incomprehensible Yankees would actually pay good money for it. So here was another gain—this time for the West Indies. Even the New England fishermen looked to the West Indies for their prosperity, since the poorer grades of salt fish were shipped there, to be fed to the slaves, while the better grades found a market in Europe. Perhaps the most striking feature of this whole commercial structure is the relatively small place which England occupied in it. Manufactured goods and luxuries came from her ports to the colonies, but the bulk of American exports went elsewhere. Not so many years were to elapse before some colonists became

Market
Indispensable

convinced that they could get along better outside than within the British economic system.

Before the American Revolution, economic life in the colonies depended almost entirely on what the colonists could "extract" from natural resources—lumber, furs, fish, and agricultural products. Manufacturing was slow to develop, partly because there seemed to be more profit in exploiting natural resources and partly because labor was costly. Men would not work for wages as low as the European level when with only a little trouble they could become independent farmers and landowners. And yet, even before 1760, there were signs of growing industrial activity, particularly in New England. Distilleries, as we have seen, were numerous in Providence and in Boston. Gristmills, sawmills, and tanneries were to be found throughout the back country from New Hampshire to South Carolina. In all the colonies, homespun cloth was being made for domestic use and, within limited areas, for sale. This textile business, carried on in the homes, had already reached an important level by 1705. In that year the English governor of New York, writing to the Board of Trade in England, reported the amount of cloth, both linen and woolen, which was being made. He commented significantly: "As for the woollens they are already too good; the colonials are making coarse cloth; good serges are being made. I fear that England will not long be needed to supply cloth for this colony." Three years later a writer in Boston declared that in the country districts not one person in forty wore anything but homespun. By 1750 the colonists were making the larger part of their own cloth, and the English saw the market for one of their most important products slipping away.

Colonial
Industry

After 1720, especially in the middle colonies and in southern New England, a variety of iron products was made and sold. Iron ore was discovered in Pennsylvania and in New York, while Connecticut, Massachusetts, and Rhode Island had deposits of "bog iron" profitable enough to work. Local slitting and rolling mills made iron rods which the farmers bought and worked up into nails, hoops, and tires. Chains and anchors were made for the local shipbuilders. The casting of pots, kettles, and other iron household utensils became a prosperous though small business.

SOCIAL CONDITIONS

Diverse economic interests and varying degrees of success in making a living will inevitably result in the development of gradations in the social scale. In older communities these classes are in large part the product of tradition, but in the colonies of the seventeenth and eighteenth centuries, tradition exerted little or no influence; classes were determined by occupation, the amount and kind of property owned, and by income. During the first few years of colonial history the classes were not clearly defined and consequently any description of them will indicate confusion. In both Virginia and New England there were laborers and artisans as well as "gentle-

Social
Classes

men," although at the start this last category was small. The London Company tried desperately to increase the population in Virginia and in doing so it contributed other classes. In 1617 prisoners from the jails of several counties came to Virginia. These were not criminals in the modern sense, but debtors and other unfortunates. In 1618 the company sent over one hundred apprentices and servants, and also one hundred women described as "young and uncorrupt"; they came "to make wives to the inhabitants and by that means to make the men more settled and less moveable." In the same year and in 1619 the company added two hundred children to its colonial population; these were evidently not selected from the leading families of England. Also in 1619 the company sent fifty young people described as idle and disorderly. There was good stock in most of this material and some of the descendants of these immigrants did well.

By 1725 Virginia had developed an aristocracy based upon ability, land, and wealth, and during the next fifty years the members of this group dominated public life in this colony. These owners of the larger plantations in the tidewater area duplicated so far as possible the mode of life of the country gentry in England. The home of Colonel William Byrd at Westover, on the James River not far from Richmond, is still one of the most beautiful country houses in the South. Here, with an estate of thousands of acres of land, plenty of slaves, and all the known luxuries of the day, Colonel Byrd could entertain in princely fashion. His table was well provided with fine linen, glass, china, and silver. He and his friends had time for hunting, horse racing, dancing, and cards.

These plantations in Virginia were the big business enterprises of the South. George Washington's plantation at Mount Vernon, which was developed toward the end of this period, was a typical example. Here Washington had about three hundred slaves to furnish the necessary labor. A surprising amount of detail was involved in the organization and administration of one of these great farms. At Mount Vernon, for example, there were brickmakers, masons, carpenters, coopers to make barrels, spinners, weavers, millers, and blacksmiths. Washington kept large herds of cattle and many horses. Aside from the luxuries which came from England and the salt used for preserving meat, practically all the necessities for the whole plantation, including cloth for the slaves, could be raised or made at home. A well-managed plantation was almost independent of the outside world.

Charleston, South Carolina, was another center of colonial aristocracy. A writer of the mid-eighteenth century found much to admire in this place.

The town is regularly and pretty strongly fortified both by nature and by art; the streets are well cut; the houses are large and well built, and rent extremely high. The church is spacious, and executed in a very handsome taste, exceeding everything of that kind which we have in America. . . . It [the town] contains about eight hundred houses, and is the seat of the governor and the meeting place of the assembly. Several handsome equipages are kept here. The planters

and merchants are rich and well bred; the people are showy and expensive in their dress and way of living; so that every thing conspires to make this by much the liveliest and politest place, as it is one of the richest too, in all America.

In New York, there was still another landed aristocracy with interests similar in many respects to those of their contemporaries in Virginia. The Van Cortlandt estate of fifteen thousand acres, Livingston Manor, the grant to the Van Rensselaer family, and numerous others, enabled their owners to enjoy both the pleasures of this world and a political influence in keeping with their social position.

Aside from these manorial lords in New York, the aristocracy of the middle and northern colonies was made up almost entirely of the wealthy merchants. John Rowe of Boston, whose name is perpetuated in Rowe's Wharf, was typical of this class. He had extensive business connections with the West Indies and with England, and he kept a watchful eye over the arrivals and departures of his ships. He supervised the work which went on in his office. And, like his associates, he enjoyed company. In his diary he tells of the parties he gave and attended, at some of which all the best people in town were present. At one he found "very good dancing and good music, but very bad wine and punch." Ordinarily, however, the wine and punch were good. But Rowe was a gentleman. Only once, at least so his diary records, did he confess that "I got myself rather mellow." New England was not so much interested in fox hunting as was Virginia, but John Rowe liked to make up a congenial party and go off for an all-day fishing trip. Some of these Northern aristocrats had homes which compared favorably with those of planters in Virginia. Benning Wentworth, of New Hampshire, kept up the social prestige of his section in one of the finest houses in America, a palatial establishment with more than fifty rooms.

Northern
Merchants

Although this element in American society was aristocratic in its mode of life, it was different from the English aristocracy, which was based on birth. In eighteenth-century America the possession of wealth was usually proof of considerably more than average ability. Riches came less frequently by inheritance, and more often by hard work and intelligent planning. The men who had money came by it honestly, in the majority of cases through their own efforts. In spite of some exceptions the colonial aristocracy of wealth was the equivalent of an aristocracy of brains.

Next in line below these leaders in wealth, social life, and politics, came the small farmers. By the middle of the eighteenth century they were in numbers the most important, and in many respects they were the strongest and most typically American segment of the whole population. They tilled the land in New England, in parts of New York, and quite generally in the middle colonies, and they were becoming increasingly influential in the back country or piedmont region of the South. These people were ambitious, hard-working, and thrifty, not able to enjoy the luxuries of the plantations or the towns and apparently not caring much that they could not.

Farmers and
Mechanics

In the cities and large towns there was still a third group—the laborers, artisans, mechanics, and small shopkeepers. They built the ships, made the rope and cordage, the sail cloth, and some of the ship's hardware. They made candles and soap, ran the slaughter houses, served as blacksmiths, millers, bakers, brewers, distillers, and did all the work necessary to enable the merchants to make money. There was good racial stock and great potential talent here. Benjamin Franklin was a product of this very circle in Boston. Perhaps this group should be stretched to include the free laborers on the farms and the sailors who manned the whalers and merchant vessels registered in American ports.

In a class by themselves were the fishermen of the New England coast, those resourceful and hardy men who won their living from the sea. From all accounts they were not very different from their successors at Gloucester, Marblehead, or Martha's Vineyard today. They commanded respect and they deserved it. If the fishermen constituted the middle class of the seafaring population, the ship captains were the aristocracy. Every captain won his rank through proved ability as a practical mariner—as a master of men and ships. They too have left their memorials in the form of fine substantial old houses which still give beauty and distinction to villages, towns, and cities along the New England coast.

Next to the bottom of the social scale were the white indentured servants, men who had voluntarily put themselves under contract to work for a specified number of years, to pay the expenses of their journey to America. Below them were the Negro slaves who did the work on the tobacco fields of Virginia and in the rice swamps of South Carolina. Fortunately, the great majority of them were not disturbed by their social status. If their masters cared for them properly and fed them well—and this was generally the case except in the rice fields—they remained happy, irresponsible, and reasonably contented with their lot. Their work was no harder than that of the independent small farmers, and they were secure in the knowledge that the ordinary necessities of life—shelter, clothing, and food—would be provided by their owners. On the other hand, slavery was inconsistent with the social and political system which was taking shape in America, a system based upon freedom and equality. Although few early Americans foresaw it, here was the source of future trouble.

The everyday home life of the colonial Americans varied widely with the social classes. The roomy, substantial houses of prosperous merchants in Boston, New York, or Philadelphia, and the homes of wealthy planters like William Byrd in Virginia, were equipped with all the comforts of the day. This means sound, well-made furniture, simple but strong and often beautiful. Every room had a fireplace—stoves and furnaces were, of course, unknown at that time. The well-equipped home had at least one warming pan, a covered metal receptacle on a long handle, filled on cold nights with hot coals, and rubbed between the sheets of the icy beds to take the chill off.

Cooking was done over a great open fireplace equipped with a crane for holding pot or kettle. For baking there were stone or brick ovens, built in as part of the fireplace. Water came from a well in the yard. Bathrooms were a luxury reserved for future generations. For artificial light there was the fire on the hearth, and tallow candles and oil lamps that burned not kerosene but whale oil or grease saved from the kitchen. One of the more interesting parts of the house was the cellar, with its kegs of salt meat, bins of apples and potatoes, piles of pumpkins, supplies of turnips, beets, and carrots; at least one vinegar barrel, a barrel of rum, another of cider; and as large a supply of wine as the owner's wealth and social status permitted.

The workingmen in the towns and the average farmers lived on about the same level. In their homes the kitchen was a combination cooking room, dining room, and living room, necessarily so in winter for the sake of comfort and economy.

Clothing varied with social standing, and also with time and circumstance. For his place of business the merchant would wear black broadcloth imported from England. Knee breeches with silver buckles were the fashion then. In the evening, Northern merchants and Southern planters alike would put on bright colored satin or velvet. The notion of dressing a man in black, the better to set off his wife's beautiful gown is, like central heating and bathrooms, a device of modern civilization. The well-dressed colonist, all set for a party, was a handsome sight: bright velvet long coat, trimmed with lace, perhaps with gold buttons; satin waistcoat and knee breeches, with silk stockings; shoes with silver buckles; and a carefully curled and powdered wig. Farmers and laborers dressed in homespun or perhaps in leather. They needed clothes that would wear, and even when they went to parties they could not afford to put on a show like the merchants.

In Virginia and in Massachusetts, as in England, church affairs were carefully controlled by the government. In Virginia the Church of England was established by law, and all inhabitants were legally required to attend its services. But the long distance between the church and many of the farmhouses in some cases made attendance impossible. In Massachusetts the Congregational Church occupied a similarly privileged position. In both cases the ministers were paid by the government, as all public officials were. There seems to have been less trouble over heresy in the Southern colonies than in New England, but even in Virginia there was no law for religious toleration until 1699. In Massachusetts all who questioned the authority of the established church were severely punished. Roger Williams and Mrs. Anne Hutchinson were banished from the colony for this offense. The treatment accorded the Quakers shows what happened to persistent heretics. By 1659 the authorities of Massachusetts had publicly whipped forty of these people, imprisoned sixty-four, cut off the ears of three, and hanged four. This extreme penalty was inflicted because the victims had refused to obey orders and leave the colony.

Established
Churches

Maryland and Rhode Island promised religious toleration, and all the English colonies founded in North America after 1660 allowed freedom in religious matters, with the result that a variety of denominations appeared. The famous Toleration Act of Maryland, passed in 1649, was designed to discourage disputes over religion. It provided for the punishment of any who should call another "an heretick, Schismatick, Idolater, puritan, Independent, Prespiterian popish prest, Jesuite, Jesuited papist, Lutheran, Calvinist, . . . Separatist, or any other name or terme in a reproachfull manner relating to matter of Religion." Then the statute continued: "And whereas the inforcing of the conscience in matters of Religion hath frequently fallen out to be of dangerous Consequence . . . where it hath been practised, and for the more quiett and peaceable government of this Province, and the better to preserve mutuall Love and amity amongst the Inhabitants thereof. Be it Therefore . . . enacted that noe person . . . professing to believe in Jesus Christ, shall . . . bee any waies troubled, Molested or discountenanced" on account of his religion. The first charter of Carolina authorized the proprietors to grant religious toleration "because it may happen that some of the people and inhabitants . . . cannot in their private opinions conform to the publick exercise of religion, according to the liturgy form and ceremonies of the Church of England." This reason for toleration was repeated in the charter of Rhode Island, with the further provision that "noe person within the sayd colonye . . . shall bee any wise molested, punished, disquieted, or called in question, for any differences in opinione in matters of religion."

In New York there was such a variety of religious beliefs that any policy except one of broad toleration would have given rise to serious controversy. When the Dutch ruled New York, there were Roman Catholics, Puritans, Lutherans, Dutch Reformed, Jews, and in addition "many Atheists and other servants of Baal among the English under this government who conceal themselves under the name of Christians."

After the English took possession of New York, laws provided for the establishment of a church under the control of the government, but there was no requirement that this church be patterned after any particular denomination. It was Protestant in its theology. It was supported by public taxation, not by private gifts, and the ministers received their authority from the governor. Under this liberal arrangement the Church of England had a place, but not the only place, and the Dutch kept their Dutch Reformed creed and clergymen. According to the proclamation issued by the Duke of York, "liberty of conscience is allowed, provided such liberty is not converted to licentiousness or the disturbance of others in the exercise of the Protestant religion."

In 1683 Thomas Dongan, a Roman Catholic, became governor of New York, and in a report on the religious situation he made some interesting comments: "Here bee not many of the Church of England; few Roman

Catholicks; abundance of Quakers preachers, men and Women especially; Singing Quakers; Ranting Quakers; Sabbatarians; Antisabbatarians; some Jews; in short of all sorts of opinion there are some, and the most part, of none at all. . . . The most prevailing opinion is that of the Dutch Calvinists." In 1700 the Assembly passed an anti-Catholic law, but the subsequent history of New York would indicate that it was not strictly enforced.

In early Virginia the church wardens were required to report for trial "all who led profane and ungodly lives, common swearers and drunkards." It would seem, however, that considerable discretion was allowed, and people who lived respectably had no trouble with the authorities. But in Puritan Massachusetts, the legislature laid down strict rules regarding conduct, and for a time most of these were enforced. In 1631 the General Court decreed "that all persons that have cards, dice, or [card] tables in their houses, shall make away with them before the next court." Three years later the same body decreed "that noe person shall take tobacco publicly . . . nor privately, in his own house, or in the house of another." Then in 1637, the authorities tried to tell the women how to dress, or rather how they must not dress. "The court, taking into consideration the great superfluous, and unnecessary expenses occasioned by reason of some new and immodest fashions, as also the wearing of silver, golde, and silk laces, girdles, hatbands, etc., hath therefore ordered that noe person . . . shall hereafter make or buy any apparell . . . with any lace on it, silver, golde, silke, or thread." These masculine lawmakers also decreed that "hereafter no garments shall be made with short sleeves, whereby the nakedness of the arme may be discovered in the wearing thereof."

**Government
and Morals**

During the period of Dutch supremacy in New York, the official attitude toward morals went to the opposite extreme from that in Massachusetts. In 1648 even the clergy, according to one complaint, "are very ignorant in regard to true religion, and very much given to drink. To this they are led by the seventeen tap-houses here," certainly a generous allowance for the total population of six hundred. Pennsylvania tried to strike a balance between religious toleration on one side and a reasonable degree of supervision of public morals on the other. In 1682 the assembly abolished alehouses, horse racing, bear baiting, cockfighting, cards, dice, lotteries, and the theater.

After 1689 or 1700 these extremes in the combined fields of religion and morals became less striking. Even in Massachusetts, both the Church of England and the Quakers secured a measure of toleration. The laws designed to regulate personal habits and customs broke down. The use of tobacco became common, and women dressed as they pleased. Young men and young women fell into the habit of going to walk on Sunday afternoons instead of attending church. In 1685 a teacher of dancing came to Boston and actually gave lessons to the irrepressible younger generation. But he was so rash as to boast that "by one Play he could teach more Divinity than

**Social
Change**

the clergy or the Bible," and the authorities compelled him to leave town. At about the same time, an innkeeper let one of his rooms to an itinerant entertainer to "show tricks" in. The innkeeper was disciplined, but the people were as willing to see the tricks as they had been to learn to dance.

These moderate departures from the former strict standards did not mean that New England was becoming evil. An English historian, who was well acquainted with conditions in New England, wrote of this region [1720]: "The Laws of the Country against Prophaneness and Immorality are strictly put in Execution, insomuch that there is as great an Appearance of Sobriety and Virtue in *New England*, as in any Place in the World: There are no games, nor Plays; Swearing, Drunkenness, and all Sorts of Debauchery are out of Fashion, so that a Rake that goes thither from Europe is not only out of his Element, but will find no Persons of Reputation or Character to keep him Company; there are no idle Vagabonds, not so much as a Beggar in the whole Country. . . ."

The more tolerant spirit in religion and in morals shocked the conservatives who looked upon any departure from the old standards as wrong. In 1734 Jonathan Edwards, then a Congregational minister of Northampton, Massachusetts, declared that many people in his neighborhood were "very insensible of the things of religion, and engaged in other cares and pursuits. . . . Licentiousness for some years greatly prevailed among the youth of the town; they were many of them, very much addicted to night walking, and frequenting the tavern. . . . It was their manner very frequently to get together in conventions of both sexes, for mirth and jollity, which they called frolics. . . ." Clergymen were delighted when a widespread religious revival, the Great Awakening, swept through the colonies. This began in 1734. But in spite of temporary successes, the reformers could not restore the religious and moral severity which had been the custom of earlier days.

The first public school system in British America was authorized by an act of the General Court of Massachusetts in 1647. Education was necessary to enable the people to understand the religion and the laws and, more particularly, to prepare a sufficiently large number of boys for Harvard College which had been founded in 1636. According to this first law, each town of fifty families was expected to appoint a teacher of reading and writing. In towns of a hundred families there was to be a grammar school capable of fitting boys for college. Towns failing to comply with this law were subject to a fine.

The first school in New York was established in 1638, at New Amsterdam. About twenty years later a Latin School was opened there. By 1664 the majority of the Dutch communities in America had schools, so that they were as well off in this respect as was New England. In Pennsylvania, provision was made for public education as early as 1683, although here the schools were not supported by taxation. The parents of children in school paid the teachers. The first colleges established in colonial America followed

English precedent. After the manner of Oxford and Cambridge, Harvard, William and Mary, and Yale¹ all went back to the Middle Ages for their courses of study. Five more, established about 1750, followed similar customs: Princeton, King's College—later renamed Columbia—Brown, Rutgers, and Dartmouth. The Greek and Latin classics furnished the foundation for the work which was supplemented with mathematics, logic, a very little science, and what the ministers called "moral philosophy."

The first great change in this academic program appeared in 1755, when Benjamin Franklin and some of his associates organized the College of Philadelphia, later the University of Pennsylvania. Here students could get the traditional medieval training if they wanted it, but they could also study mathematics, surveying, navigation, physics, chemistry, agriculture, and most important of all, history, government, economics, and international law. The founding of this college, with its rich and varied curriculum, was part of a revolution in the history of American thought.

Before 1760, the leading commercial ports had the small beginnings of public libraries. Boston seems to have been the first town in the British colonies to have a collection of books open to the public. Philadelphia and Charleston came next, with New York the last of the group. Benjamin Franklin again showed his originality as in his plans for the University. He liked to read, but being for a number of years too poor to buy the books he wanted, he organized a club of poor young men like himself who loved books and who wished to increase their store of practical knowledge. With every member contributing a small amount regularly they could read the best books at little cost to anyone.

Newspapers began to appear soon after the opening of the eighteenth century. The first was *The Boston News-Letter*, established in 1704. In 1719 *The American Weekly Mercury* appeared in Philadelphia. By the time the Revolution broke out, every colony but Delaware and New Jersey had weekly newspapers. In addition to news, these journals carried political discussions, some of which stirred the colonial governors to protest against what they considered disrespect of authority.

Freedom of
the Press

In spite of official disapproval, the newspapers flourished and continued to give expression to the American point of view. The principle of the freedom of the press was soundly established. In this respect America was far ahead of England. In 1733 John Peter Zenger, publisher of the *New York Weekly Journal*, accused the governor of making corrupt politics his guide in appointing judges. Zenger was promptly arrested, charged with libel, and kept in prison several months to await trial. When his case came before the court, Zenger was defended by Andrew Hamilton of Philadelphia, one of the best-known lawyers of his day. According to English law a person might be punished for libel even if his statements were entirely true. Hamilton

¹ These institutions were founded respectively in Massachusetts in 1636, Virginia, 1693, and Connecticut, 1701.

urged the jury to ignore the law, and his plea stands as one of the great landmarks of American liberty:

The question before the court, and you, gentlemen of the jury, is not of small nor private concern; it is not the cause of a poor printer, nor of New York alone. . . . It is the cause of liberty, and I have no doubt that your upright conduct this day will not only entitle you to the love and esteem of your fellow citizens, but every man who prefers freedom to a life of slavery will bless and honor you, as men who have baffled the attempt of tyranny, and who by an impartial and uncorrupt verdict, have laid a noble foundation for securing to ourselves, our posterity, and our neighbors, that to which nature and the laws of our country have given us a right—the liberty of exposing and opposing arbitrary power . . . by speaking and writing the truth!

The jury brought in a verdict of not guilty, and a great principle was established: a true statement was not a libel, and newspapers were free to print the truth.

Thanks to these various agencies—church, school, university, books, and the press—the American colonists were well informed. According to Benjamin Franklin, a surprisingly large proportion of the people knew how to read. More important still, they knew how to think, particularly in regard to politics and government. The general level of literacy in America was probably as high as it was in England, possibly higher. As for the level of civilization in general, it is hard to make definite statements. Of course the American farmer on the frontier did not closely resemble the wealthy Englishman of London, but neither did he resemble the wealthy American planter or merchant. If we may attempt to measure American civilization by material things, some of it would rank high. People who could build such houses as Colonel Byrd's at Westover, or George Washington's at Mount Vernon, or Benning Wentworth's in New Hampshire were no mere barbarians. More than that, the cultivated American knew that these houses and many others were beautiful—that is, they understood what the meaning of good architecture was. Puritan lawmakers might legislate against games and against extravagant dress, but the people loved beautiful things. Their houses, their furniture and their silver are still very much admired.

But a better measure of the civilization of a people may be found in their writings—that is, in the ideas they had and in the way these ideas were expressed. It is true that America produced no great poets or playwrights before the Revolution, but it is also true that American political documents of the mid-eighteenth century take high rank. The newspapers published in the leading commercial centers still provide interesting reading for historians. These journals analyzed clearly and intelligently the weaknesses in the arguments by which English officials sought to justify British supremacy over America. Coming down to a slightly later period, the Declaration of Independence reveals a literary quality possessed by few state papers of any time.

If the measure of a people's civilization is its men, the American colonists had reason to be proud. Their merchants, planters, lawyers, and legislators were men of real distinction. For sheer greatness of character, George Washington still stands high among the leaders of his day. As for Benjamin Franklin, he was noted all over Europe as an extraordinary genius and recognized by most learned Englishmen as an authority in the field of science. In 1787 men who were raised and trained in this colonial environment wrote the Constitution of the United States. No greater tribute to their wisdom could be desired.

American Government and British Policy

POLITICAL PRACTICES

IN THE foregoing summary of British colonial development there have been numerous references to government in the colonies and to the British authority from which these American governments were derived. With the exception of Plymouth, which was allowed generally to operate under its own regime until 1691, all the colonies had legislative bodies established under a grant from the Crown; after the Restoration this was true even of the self-governing republics of Rhode Island and Connecticut. In the formative years, at least, American institutions developed within limits laid down by Great Britain and under the influence of established British customs. No matter how eloquently American leaders proclaimed their right to independence in 1776, they could not blot out the record of history. This record showed how the colonies had evolved and grown, not as independent entities but as parts of an expanding empire, and always within a framework of English precedents. As colonial systems went in those days that of the English was surprisingly liberal and under it the Americans acquired and enjoyed a remarkable degree of self-government. Nevertheless, the principles of the British regulatory system were always in existence and the agents of the British government were always present. It would therefore be misleading to discuss American government without showing its relationship to the imperial system and its dependence upon British precedents.

The framework of American government was fundamentally the same in all the colonies and the system was both simple and logical. There were two interests, English and American, concerned in appointing officers and in making legal rules, and both interests were represented. In each of the royal colonies—those under the direct supervision of the king—there were: a governor, appointed by the king; a council, also appointed by the king; and a representative assembly, the members of which were elected by the voters. In the proprietary colonies—Maryland, Pennsylvania, and Delaware—the forms were the same, but the proprietors instead of the king named the governors and members of the councils. Rhode Island and Connecticut received charters from King Charles II which made them practically self-governing republics. In both these colonies the voters chose the governors and councils as well as the elective assemblies.

In each of the colonies the governor was the chief executive. He could

British
Precedents

Royal
Government

call the members of the assemblies together and dismiss them. He commanded the military forces in his colony and he enforced the laws. In all the colonies except Connecticut and Rhode Island, he was the connecting link between his colony and England. The majority of colonial governors were Englishmen, although occasionally prominent Americans might be appointed. The council in each royal colony was made up of men prominent in local affairs, usually twelve in number. This body served as an advisory cabinet for the governor and as the supreme court in the colony. It was also the upper house when the colonial legislature was in session. The council therefore represented both English and American interests, because while the members were Americans, they owed their places to the king.

Following the council came the elective branch of the legislature, the lower house, virtually the same in all the colonies, in spite of the different names attached to it: House of Burgesses in Virginia, Assembly in New York, or House of Representatives in Massachusetts. This was the body representing, not the people but the voters: in other words, the property owners. Suffrage qualifications were not uniform in the various colonies, but not more than a sixth of the population voted in any, and probably the average was about one-tenth. These elective assemblies shared with the councils the right of initiating legislation, except financial, which custom reserved to the lower house alone. All legislation passed by the colonial assemblies was subject to the governor's veto, and if it passed him, to disallowance by the Privy Council in England.

American
Legislatures

The key to colonial constitutional history during the eighteenth century is to be found in a shifting of the balance of power within the framework just described. In all the colonies the elective branch of the legislature increased in power, at the expense of the governor and council. During the seventeenth and eighteenth centuries, the colonial legislatures were undergoing a rapid and interesting growth. Beginning as mere borough assemblies, they developed into miniature parliaments, with a sense of power and of pride in their achievements that would have done credit to their model in England. In fact, the members of these bodies came to look upon them as virtually the equals of the House of Commons. In 1691 the House of Burgesses instructed its agent in England "to supplicate their majesties to confirm to Virginia the authority of the Gen'l assembly consisting of the Governor, Council, and Burgesses as near as may be to the model of the Parliament of England." The very statement of this concept of the House of Burgesses is significant, and it was widely at variance with the English official view.

According to this British theory, the Burgesses owed their political existence to a grant made by the London Company and after the revocation of the charter to a similar grant made by the king. Other legislatures which were founded later derived their powers from a royal charter or from some other form of royal act. In the beginning this royal power was limited only

by the inadequately defined principles of the unwritten British constitution. In practice the king issued commissions to the royal governors, in which he defined the governors' authority and made clear his superiority to the local assembly. Royal power over the colonies was reaffirmed in the instructions drawn up for the guidance of the governors. In fact the whole system of royal government for the colonies was put into definite form in these documents. In 1747 the attorney-general of the British government declared that the right of the Americans to send representatives to their assemblies was founded originally on the commissions and instructions given to the governors.

This legal definition which placed all the American legislative bodies under the power of the Crown was not in conformity with prevailing practice. By virtue of custom and prescriptive right these elective assemblies had raised themselves to a position superior to that of both governor and council, so that they became the dominant factors in colonial government. The results of this growth were never clearly appreciated in England, but they were fully apparent to the colonial political leaders. From their point of view the local assemblies were just as important, and just as powerful, each in its own field, as was Parliament in England. In the colonies as in England this legislative supremacy was the result of long contests with the executive power. The steps in this evolutionary process are fairly clear. In general, the colonial leaders aimed at frequent elections, so that the legislators could be kept in moderately close touch with the voters. In Massachusetts and Pennsylvania, for example, there were annual elections, in North and South Carolina biennial; the other colonies tried to secure triennial elections, at least.

Along with frequent elections, the colonial legislatures insisted upon their right to pass judgment on the qualifications of their own members. By doing so they could refuse to seat representatives chosen by corrupt methods, and they could keep out candidates whom the governors might try to work in by clever political chicanery.

More important still in the process of legislative advancement was the effective use made of financial power. Following a course parallel with that of Parliament, the American assemblies secured first of all control over taxation. They then began the process of making specific appropriations, so that they controlled expenditures. Furthermore, the legislatures aimed at a large measure of administrative control, especially in financial matters. Several of the colonial legislatures got control of the colonial treasurers. Virginia did this in 1704, New York in 1715, and New Jersey, Pennsylvania, and the Carolinas before 1750. Sometimes the speaker of the assembly was made the treasurer of the colony.

Control over expenditures gave the legislatures vast powers. Merely by refusing to act, they could bring the whole system to a standstill. It was an unusual governor who would oppose a determined group of legislators

when he knew that they could stop payments from the treasury and so ruin his administration. He was more likely to yield to pressure and sign the bills which the assembly wanted, even though he had to ignore his instructions from the king. Or governor and assembly might enter into a sort of bargain which Benjamin Franklin described as a part of normal law-making procedure in Pennsylvania. There the assembly gave a present to the governor, amounting to one thousand pounds per year, above his salary, provided he would sign the bills. "But when the governors and assemblies disagreed, so that laws were not passed," as Franklin continued, "the presents were withheld." "Time established the custom and made it seem honest; so that our governors, even those of the most undoubted honor, have practiced it. . . ."

Financial
Power

In England the promoters of parliamentary supremacy soon discovered that some sort of organization was necessary to enable them to function smoothly without executive leadership. The Cabinet met this need. In similar fashion the colonial legislatures evolved a form of organization which enabled them to make their power effective. In a number of assemblies, notably those of Massachusetts, New York, Virginia, and North Carolina, self-constituted, informal committees, consisting of leaders in the legislature, assumed control of the governments. The operations of such a group can be clearly traced in Massachusetts, just before the Revolution. A dozen men, with Samuel Adams in the lead, decided upon the legislative program and also upon what the executive officials should be allowed to do.

Organization
of Legis-
latures

In New York, an informal joint committee held frequent meetings during the session. This group made out the list of legislative business, dictated the appointment of officials, controlled the payment of salaries, and incidentally dominated the whole government, in its executive as well as its legislative branches. In 1766, Governor Cadwallader Colden complained that "The ruling Faction gain an absolute influence over the officers of Government by the Sallary of every officer being every year voted or appointed by the Assembly, lessened or encreased, or refused, as they like the Man in office, and the Fund is yearly raised & applied for that purpose."

In Virginia the determination of the tidewater planters to run the government seriously hampered the executive. He was subject to their orders. After one of his contests with the House of Burgesses, Governor Dinwiddie retired, somewhat the worse for the encounter, with the complaint that "such wrong headed People (I thank God) I never had to do with before." The "wrong headed People" in question were John Robinson, speaker of the house and treasurer of the colony, with his associates, the group that ruled Virginia until the efforts of Patrick Henry broke it up.

In North Carolina there was another joint committee, self-appointed like the one in New York, busily engaged in directing the government. The royal governor was helpless in a contest with this group. The members forced their measures upon him, in spite of his opposition, by putting them

in as riders on the appropriation bills, and through their control of salaries they had a firm grip on the administration. In both colonies, although there was no official institutional basis for such a thing, miniature cabinets were in full operation. As time went on, the governors were more and more completely brought under the control of their legislatures. That is how the representatives of the voters in America rather than the agents of the king in England became the real rulers in the colonies. This transfer of power from the English governors to American leaders was a great help in preparing the colonies for independence. In these bodies the voters themselves learned at first hand how governments were managed and how to use power when they had it. This practical knowledge gave confidence both to the leaders and to the voters who elected them. Out of this experience in self-government the Americans put their ideas and beliefs together into a political philosophy. They argued that these American legislatures were just as important for the colonies as Parliament was for England. They contended that if new laws were needed or if more taxes had to be voted, the American assemblies could make the necessary decisions better than anybody else. After a time they came to believe that they alone had a right to do these things and that the king and Parliament must not interfere.

In the ranks of government below that of the legislature there were additional opportunities for gaining experience in politics and public affairs. In New England, particularly, the town meeting looked after local business, and these town meetings were carried on almost independently of the royal officials. In connection with them there was considerable activity of the kind we call political; that is, work done by candidates for office to secure their election, and the help given them by their friends. Political parties began early in this country, on a small scale, of course; with their help ambitious young men found it possible to rise from some local office to the important position of town or county representative in the legislature.

In somewhat similar fashion the county and parish organizations in the middle and southern colonies taught the American people the art of government and gave the leaders practical training. Even if there had been no other causes of friction, this political experience and the ideas which grew out of it might have made the American people uneasy under a colonial system operated by agents of strangers three thousand miles away.

One more force strengthened the American belief in their right to govern themselves. Large numbers of the first settlers and many of their successors came to America because they were dissatisfied with conditions at home. This was particularly the case with some of the Puritans from England, and with the Germans and Scotch-Irish. In the New World they expected freedom. These dissenters passed on to their descendants a tradition of self-reliance and of impatience with unnecessary restraints, and their attitude toward outside authority became widespread. In his famous speech on con-

ciliation with America, Edmund Burke referred to this American state of mind as the very "dissidence of dissent."

By way of contrast with the American doctrine that Americans possessed full authority in the areas of local and provincial government, and that the colonial law-making bodies were supreme, each in its own colony, English officials and legislators still insisted upon the principle of British supremacy. After 1681 all new colonial statutes had to be submitted to the king's advisory body, the Privy Council. In case of disapproval the Privy Council could declare them null and void, or in official terminology, disallow them. By this procedure the effects of the governor's surrender to legislative pressure might be overcome. The Privy Council disallowed laws because they were inconsistent with laws of England, because they conflicted with certain principles of colonial administration, or because they ran counter to English economic interests. This power the Privy Council exercised sparingly, but it was in reserve in case of need.

**Theory of
British
Supremacy**

The principle of British supremacy was also effectively illustrated in numerous statements designed to set forth the authority of Parliament over the colonies, and in acts of Parliament itself directly affecting the colonies. In 1650, during the Cromwellian regime in England, Parliament asserted its power to legislate for the colonies: "Whereas the islands and other places in America, where any English are planted, are and ought to be subject to and dependent upon England and both ever since the planting thereof, have been and ought to be subject to the laws, orders, and regulations as are and shall be made by the parliament." The charter of Pennsylvania gave point to this principle by recognizing the power of Parliament to tax the people in Pennsylvania. Again, in 1720, the chief justice of the court of common pleas in England ruled that the colonies "may be bound by Laws, made respectively for them by an English Parliament." Two years later one of the chief legal advisers of the Crown declared that British colonists "cannot be taxed but by the parliament of Great Britain or by and with the consent of some representative body of the people of the [colony] properly assembled by the authority of the crown." The purport of these British statements is obvious: the American legislatures did not possess sole power in their respective localities; Parliament was a factor to be considered.

Important though it was, the question of who should make laws for the colonies was not the only problem in the growing tangle of Anglo-American relations. There were the more comprehensive issues of policy or guiding principles, of legislation needed to put the policy into actual practice, and of administrative regulations designed to make the policy work. British officials took the initiative in the effort to solve these problems.

During the first part of the seventeenth century England had neither practical experience nor political theory to serve as a guide in the formulation of colonial policies. But there was a popular doctrine of economics known as mercantilism, and in accordance with this theory the system of colonial

Mercantilism

control was evolved. The chief aim of mercantilism was attainment of economic self-sufficiency; that is, each state aimed to become mistress of all her resources, and to prevent rivals from participating in any of her economic interests. Mercantilism also demanded the development of a favorable balance of trade, so called; in other words, the nation should try to sell more than it bought. Such a balance of trade would bring gold into the country. Colonies were desirable in the system, because they could furnish raw materials and supplies which could not be produced at home. Mercantilism did not contemplate the establishment of self-governing colonies, because such units might contribute nothing to the parent state. The idea of colonies as markets for home manufacture did not take definite form until the middle of the eighteenth century.

Once the colonies were established, it became necessary to regulate their trade so that other nations could have no part in it, and so that it would bring the fullest profit to the parent state. Along with the profit to the merchants there was an opportunity for the government to collect a revenue by the imposition of tariff duties. Throughout this whole philosophy runs the idea of colonies both politically and economically dependent upon the colonizing power. But the superior government did not want to ruin the economic life of the colonies; it wished merely to prevent the colony from developing interests which might compete with those already established at home. That was the negative side. On the positive side, the parent state tried to develop and foster those economic interests which were peculiarly suited to the colony. Each part of the empire was expected to specialize in those products and commodities which nature had designed for it.

More specifically, the British hoped to find certain commodities in her colonies. These were first of all gold, the accepted standard of value and the great medium of exchange. Then they wanted grapes, to free themselves from dependence on French and Portuguese wine; spices and fish, to free themselves from dependence upon Holland; timber and naval stores to get away from dependence upon the Scandinavian countries. If the colonies could be made to produce any or all of these articles, trade in them must be limited to English shipping, so that profits could be retained by Englishmen.

These principles were applied first to the tobacco trade of Virginia. In 1621 the Privy Council ordered the Virginia colonists to ship all their tobacco to English ports; then it prohibited both the importation of foreign tobacco and the raising of tobacco in England. Foreign merchants were forbidden to bring American colonial tobacco to England. These regulations restricted the market of the Virginia planters to the British Empire, and thereby violated the rights of the colonists. On the other hand, the Americans were given a monopoly of the English market. This provision was at the time ample compensation for the other, because it forced Englishmen to smoke Virginia tobacco, if they smoked at all, when many would

Regulating
the Tobacco
Trade

have bought the Spanish product, if left to their own choice. The restriction on tobacco raising in England was not repealed until 1909 and during the seventeenth century, at least, it was rigidly enforced. Samuel Pepys refers to the regular attempt made to raise tobacco in Winchcombe, and to the equally systematic destruction of the crop, year after year, by the authorities.

The application of this system to the tobacco trade begins an important chapter in colonial history. Such a regulation involves the appointment of officials to enforce it. If the regulation remains in effect over any length of time the officials in charge develop certain administrative customs and habits which acquire power with age. Their aim is always efficiency regardless of the psychological effect of their work on the people affected. And the administrator tends to free himself from both executive and legislative control, and so is likely to become something of a law unto himself. This tobacco regulation was beyond the reach of the House of Burgesses of Virginia, and almost beyond the range of interests of the House of Commons. It belonged to the province of the Treasury Board, which went its way sometimes regardless of wisdom and expediency. Thus before the first colonial legislature had acquired any real power, the initial steps had been taken in establishing an administrative control over certain aspects of colonial life.

Before the time of Cromwell, not much more was done in the way of formulating colonial policy, partly because the colonies were small, partly because of growing trouble in England. In 1622 James I appointed a committee of the Privy Council, to have oversight of navigation and trade; Charles I continued this committee. Cromwell was greatly interested in the whole colonial and commercial problem. In his analysis of the situation, he found one serious obstacle in the way of English development: the Dutch grip on the carrying trade of the world. These enterprising people built ships more cheaply than their rivals, and they were able to charge lower rates than the merchants of other countries. Cromwell wished to capture this Dutch trade for English merchants.

In 1651, apparently under the direct influence of Cromwell, Parliament passed a Navigation Act, designed to close English trade to the Dutch. This measure provided: that goods imported into England from Asia, Africa, or America were to be brought only in English ships; that goods from Europe could be brought in English ships, or in the ships of the country where the goods were produced or manufactured; and that goods for the English colonies in America could be carried there only in English ships.

The purpose of the law was to create an English commercial monopoly, the benefits of which were to be strictly confined to English subjects. For the purposes of this act, ships built in the English *colonies* were placed on the same level with ships built in England, so that the American shipping interests could profit from it. Under the protection of the act, American shipping steadily increased, and before the end of the seventeenth century,

Boston, Newport, New York, and Philadelphia became important mercantile centers. Cromwell therefore conferred an inestimable advantage upon colonial-built ships, by freeing them from all competition except that of England herself. However much the later Navigation Acts may have interfered with colonial commerce, there is no doubt that this first one was a powerful stimulus.

When the Cavaliers came back into power in 1660 they were quick to perceive the advantages in the Cromwellian Navigation Act; and to remove doubt as to its validity they had it re-enacted, with certain important additions. The new measure provided that certain specified colonial products must be carried directly to England. These, the "enumerated commodities," were sugar, cocoa, tobacco, cotton, and dye-woods. As was the case with the tobacco regulations of 1621, the colonial producers were given a monopoly of the English market, by way of compensation for the loss of possible markets on the continent.

By continuing and making permanent the old restrictions on the tobacco trade, this Navigation Act of 1660 resulted in serious loss for some of the American colonies. The low price of tobacco caused trouble in Virginia, and the resulting hard times were one of the causes of Bacon's Rebellion in 1676. For nearly twenty-five years these British regulations kept the tobacco planters close to poverty. The enumeration of the other five commodities would have had serious consequences for the commercial colonies, if the restrictions had been strictly enforced. American merchants had found profit in carrying West Indian products to the ports of continental Europe, and by 1660 this trade had attained such proportions that British merchants were complaining bitterly of American competition. On their return trips American shippers carried European products to America, without routing them through British ports. Thus the British merchants lost trade and the British government lost revenue. The new Navigation Act was designed to stop these American practices. Fortunately for American welfare, the new measure was never effectively enforced except during the Andros regime in New England. Then the results were described as disastrous.

In 1663 still another Navigation Act provided that all European commodities shipped to the American colonies must first be landed in some British port, so that the duties might be collected. By this means the American practice of carrying European goods directly to American ports could be discouraged. Because violations continued and enforcement became increasingly difficult, in 1672 Parliament passed one more measure, providing that in case the carrier did not give bonds to carry his cargo of enumerated commodities to England, he must pay a duty of one penny per pound at the port of clearance.

As the regulations increased in number, the administrative machinery was enlarged to promote efficient enforcement. In 1660 the king appointed a Privy Council Committee for Foreign Plantations, with two subordinate

councils, one for plantations, and one for trade. This committee was expected to familiarize itself with conditions in the colonies, to keep in touch with colonial governors, and especially to secure copies of new colonial laws. Incidentally, it was to try to secure greater uniformity in the systems of government of the colonies. In 1674 this committee gave way to a standing committee of the Privy Council of twenty-four members, known as the Lords of Trade. This new committee served as a bureau of information on colonial affairs. It collected and kept on file material pertaining to the colonies, and it made special efforts to have available a detailed history of each colony. It drafted all the instructions for the royal governors, considered plans for new colonies, suggested candidates for colonial positions, and passed upon the new laws enacted in the colonial legislatures. All complaints from the colonies were referred to it, and it investigated charges brought against any particular colony.

The Lords
of Trade

Along with the development of these organs of control in England, the policy of commercial regulation necessitated the appointment of new officials in the colonies. In American ports there soon appeared surveyors, collectors of customs, naval officers, tidewaiters, and various other agents of the English Customs Board. These men collected the duties provided for in the Navigation Acts and tried to prevent smuggling. Sometimes they were assisted by vessels of the royal navy.

In 1696 Parliament passed a new Navigation Act, an administrative measure designed to eliminate the more obvious weaknesses of the colonial system. In order to bring the chartered colonies within the range of royal regulation this new measure provided that governors in these colonies must be approved by the king. Next the governors themselves were required to take oaths binding them to uphold the acts of trade. The penalty for neglect of duty in this respect made the offender liable to dismissal from office and a fine of £1000. Furthermore, the act empowered either the Lords of the Treasury, or their agents, the Commissioners of the Customs, to station customs officials anywhere in the colonies where the good of the service made their presence necessary. The customs service itself was reorganized. Then a regular system of vice-admiralty courts in charge of royal officials was established in the colonies. Thus the requirements of administration made necessary the evolution of a complex official structure in the colonies, all of which was placed beyond the legal reach of the Americans.

In 1696, a royal order created the Board of Trade, to succeed the Lords of Trade, and to have general oversight of all colonial commercial questions. This new board was composed of eight ministers, who were ex-officio members, and eight active members not connected with the ministry, who did most of the work. The Board passed upon all instructions issued to the colonial governors, and kept on file for study and reference all reports sent in from the colonial executives. Furthermore, it examined all new laws passed by the colonial legislatures, and advised the Privy Council with

The Board
of Trade

reference to its action regarding them. It was supposed to be the body from which the Privy Council, the Cabinet, the various boards, and any interested individuals could get information about the colonies.

From 1700 to 1760 there were no changes in the basic principles of colonial administration. The Navigation Acts furnished the guides, and administrative details were attended to by the various boards. The patent defects of the system, if it can be called a system, are obvious. No part of this complicated machinery had been planned solely with reference to colonial needs. The Board of Trade was concerned with the commerce of the whole British Empire and with manufacturing as well. So it was quite possible that the Board might lose sight of colonial matters in its efforts to solve comprehensive problems. Moreover, as the "plantations" of the seventeenth century grew into the prosperous colonies of the eighteenth, British officials recognized no change in their legal status. In the beginning there had been no doubt of the authority of the Privy Council to regulate colonial affairs. This was true, even in Massachusetts. Although the Puritans ignored England, they were able to do so only because circumstances in England made interference in America practically impossible. As the colonies grew, their legislators were converted to the belief that their authority was final. Eventually, the colonial theory of complete autonomy was bound to clash with the British theory of supremacy.

In addition to the king, the Privy Council, and the Board of Trade, there were various other groups of officials in England which had a hand in regulating American affairs. Problems of colonial defense on land were handled by the War Office. The members of this group planned military operations and directed the movement of troops. The Admiralty looked after defense on the sea, and also supervised ocean-going commerce.

During the eighteenth century the system of English regulation was made somewhat more effective by the establishment of customs officials in the leading American ports. It was the business of these men, who acted under the authority of the Customs Board in England, to collect the duties provided for under English laws and to prevent smuggling. Occasionally ships of the royal navy were assigned to assist the customs officials. Here again was a source of possible difficulty, because some of the most highly respected merchants in America indulged in illegal trade and they resented these efforts to stop it.

As new administrative problems developed, or when new gaps appeared in the system of British control, Parliament would enact new laws to solve the problems. Among these was the Molasses Act of 1733, a supplement to the navigation system, designed to stop the importation of French West Indian molasses into the colonies and to bring larger profits to the sugar planters in the British West Indies. The French islands furnished a profitable market for fish, lumber, meat, grain, and livestock and the planters there were glad to sell molasses at a low price in exchange. The molasses

trade with the French West Indies was looked upon with disfavor by influential interests in England. Many West Indian planters had gone back to England, where they used their influence in Parliament to promote their own financial well-being, with little regard for that of other fortune hunters. Because of French competition, prices for English sugar and molasses remained low and the English growers turned to Parliament for a remedy. They pointed out the value of West Indian products to England and emphasized the need of proper encouragement. In spite of the arguments of the New England shipping interests, to the effect that their West Indian trade alone gave them specie to purchase English manufactures, the West Indian planter interests carried the day. The Molasses Act imposed heavy duties on all foreign sugar, rum, and molasses imported into the British Empire. The tax on molasses, six pence per gallon, was designed to be prohibitive. Fortunately for New England, the measure was not enforced until after 1758, so the old trade continued to flourish with little interruption.

In addition to these restrictions on shipping and raw materials, Parliament also passed laws to restrict manufactures in the colonies. In 1699, the colonists were forbidden to export manufactured woolen goods. This measure did not interfere with the making of homespun for home use or even for sale locally; Parliament merely wished to prevent the development in the colonies of competition with the important woolen industry in England. Here again the doctrines of mercantilism were clearly evident. Fifty per cent of British exports were in the category of woolen goods and the number of persons in England directly interested in the woolen business was considerably larger than the total population in the British colonies. The law was drawn in the interest of the larger number of people concerned.

**Regulation
of Colonial
Industry**

In 1732, under the influence of the London Company of Felt Merchants, a law was passed to restrict the making of hats in America. In 1750 Parliament prohibited the manufacture of iron beyond a certain stage, and tried to prevent the establishment of any new plants for manufacturing iron in the colonies. None of these restrictions on colonial industry was designed to prevent the Americans from making goods for their own use locally; they were designed only to protect established industries in England from colonial competition. In every case the British government acted on the theory that economic activities in America should supplement those in England and not enter into rivalry with them. For twenty years or more, before 1682, the restrictions seriously hurt the tobacco planters. And yet, with a few exceptions, one of which will be described below, the British system was not so burdensome as one might think, because it was not strictly enforced. Again and again regulations which might have worked real harm were overlooked. In spite of the Molasses Act of 1733, American merchants continued to import French molasses, and the British customs officers winked at the regular violation of the law. This flexible system of enforcement left the Americans contented and reasonably free.

COLONIAL THEORIES AND IMPERIAL PRACTICE

Prior to 1756, when the Seven Years' War demonstrated the need of a more vigorous effort at control, the British authorities made only one serious attempt to enforce their regulatory system against the shipping interests of the commercial colonies. This one attempt centered in Massachusetts. Even there the issue was not strictly drawn between colony and mother country because the proposed British reforms were designed in part to protect the non-Puritan group in the Bay Colony against the tyrannical control of the Puritan ruling class. Massachusetts had been a problem from the start. It was the largest colony and also the most persistent in ignoring English regulations.

Between 1630 and 1691 there were various developments in Massachusetts which illustrated both the need of an effective colonial policy, if England wished to retain the control of her settlements in America, and the difficulty of making such a policy work. The English officials were in an embarrassing dilemma: if they did not assert their authority, they might lose their colonies by default; if they did assert it, they might drive the Americans into open rebellion. They were bound to have trouble in either case. From the beginning of the Massachusetts Bay Colony in 1630 the independent-minded Puritans had quietly ignored the authorities in England, acting as though they were and ought to be free from British control.

Sometimes the Puritan rulers there came close to open defiance. In 1646, when the colony was only sixteen years old, the legislature of Massachusetts claimed for itself and for the officials under the charter "absolute power of government," with full power to "make laws, to erect all sorts of magistracy, to correct, punish, pardon, govern, and rule the people absolutely," without the supervision of any outside authority. They denied the right of appeal to English courts, and they would not admit any obligation to answer complaints made against them in England. "Our allegiance binds us not to the laws of England," they declared, "any longer than while we live in England, for the laws of the Parliament of England reach no further, nor do the king's writs under the great seal." The merchants of Massachusetts also demonstrated their independent spirit by their consistent violation of the Navigation Acts, particularly by bringing goods from Europe directly to America without first stopping at British ports to pay duty on them. In 1660 some of the Puritan leaders in Massachusetts were opposed to recognizing Charles II as king and were advocating complete independence.

Here were sufficient reasons for British complaint against Massachusetts, but there were still more. By 1660 Massachusetts had among its colonists a number of non-Puritans, some of whom were Quakers, but many more members of the Church of England. Some of these Anglicans were prominent citizens, men of wealth and standing in their communities. But because they were not members of the Congregational Church they could not be-

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come voters. Their complaints reached England, and served further to convince the authorities that the Puritan rulers of Massachusetts needed to be called to account.

Shortly after his accession to the throne, King Charles II began to give serious consideration to these reports from Massachusetts. In 1661, he appointed a committee of the Privy Council to investigate the situation in New England, and especially to consider the case of Massachusetts. As a result of this investigation, the king made certain demands upon the colony. He ordered the officials, first of all, to broaden the franchise by giving the right to vote to all respectable landowners, even though they were not members of the Puritan Church. Next he ordered them to permit the Church of England to hold services in Massachusetts. These two demands were in harmony with the policy of Charles II in other colonies, and they were designed to undermine the political and religious absolutism of the Bay Colony. The king then ordered that the colony administer justice in his name and compel all the inhabitants to swear allegiance to him. These demands were the logical result of the rumors coming from Massachusetts.

Policy of
Charles II

But the General Court used its own discretion in carrying out the king's orders. The demand for an extension of the suffrage rights was evaded. The legislature passed a law, ostensibly to grant the right of voting to all orthodox property owners; but it provided that the Puritan ministers must certify to the prospective voter's orthodoxy. Furthermore, although the General Court decreed that all legal papers should run in the king's name, it referred the other demands to a committee which never reported.

In 1664 the king appointed a special committee of investigation to go to Massachusetts and to make a careful survey of the situation. The commission was ordered to look into the Indian problem, to capture the regicides, to enforce obedience to the Navigation Acts, and to secure the establishment of liberty of conscience for all. These were the avowed aims. In addition the committee received some secret instructions, with orders to secure from the General Court a law or laws empowering the king to nominate the governor of Massachusetts, to control the militia, and to pass upon the laws enacted in the province. In general the committee was expected "to dispose the people to an entire submission and obedience to the king's government."

When the commissioners arrived, the authorities in Massachusetts would permit no interference with the government or with the courts, and they denied the validity of the royal commission. They garrisoned the fort in the harbor and made plans for defense. When the king's representatives tried to hold a public inquiry, the people were officially warned to ignore them. The report of the committee was not favorable to Massachusetts, and one of its recommendations was that the king strengthen his hold, by force if necessary. The proposed solution was the abrogation of the charter. At the time, however, the king took no action.

Beginning in 1674 the Lords of Trade began work on a policy designed to

proposed
restrictions
American
legislatures

strengthen the authority of British officials over all the colonies. To make this purpose effective they planned to weaken the colonial legislatures by reducing them to the status of mere ratifying bodies, with no power of independent action. For the future the governors and councils would draft proposed laws and send them to the Privy Council. If this body accepted them they could be returned to the colony for approval by the assembly. Instructions to this effect were given to Lord Culpeper of Virginia, and surprising as it seems, in 1679 the House of Burgesses actually acquiesced in the plan. Evidently the members did not realize the implications of this new scheme. In Jamaica, however, the legislature protested so vehemently against the proposed policy that the Lords of Trade abandoned it for all the colonies.

In the meantime, the Lords of Trade took up the problem of Massachusetts where the king had dropped it a few years before. In 1676 they sent over another investigator, Edward Randolph, with instructions to find out what laws in the colony were at variance with the laws of England, and to see how the Navigation Acts were being observed. In 1681 Randolph received a commission as collector of customs in New England. The government of Massachusetts placed every obstacle in his way. He himself was not allowed to work, while his deputies were fined and imprisoned. Recalcitrant merchants, smarting under penalties imposed for violating the laws of trade, sued the collector's agents for damages in the local courts.

Edward
Randolph

It is not strange that Randolph developed a feeling of hostility to Massachusetts. After a few years he went back to England and urged the king to annul the Massachusetts charter. In support of this demand he found it necessary merely to summarize the policy of the Bay Colony after 1660. He reported that the authorities there had made no attempt to capture the regicides, and that merchants were regularly evading the Navigation Acts, and that the right of appeal to English courts had been denied. Then he recalled the treatment accorded the investigating committee of 1664, and emphasized the evasion of the king's order to broaden the suffrage. All through his report he made plain the attitude of Massachusetts: an attitude of indifference to royal authority, if not of independence. He described Massachusetts as a "veritable Puritan commonwealth," a term which was bound to stir the prejudices of Charles II and his associates. Randolph was not obliged to resort to exaggeration or invention to make out a strong case against Massachusetts; the record itself was plain. And that very fact revealed the real point at issue. The English government was trying to work out a system of colonial regulation and control, while Massachusetts persisted in considering herself exempt from any such system. The two points of view were irreconcilable. Leaving the legal aspects of the question out of account, it may be that the inhabitants of Massachusetts were entitled to all the independence they could get. But the king was not ready to concede their right to deprive him of control over territory which

belonged to the English domain. If they wanted independence, there were other parts of the world which were outside that domain.

Upon the strength of Randolph's representations, the Crown ordered the issue of a writ of *quo warranto*, as the first step in annulling the charter, but legal technicalities prevented the completion of the process. Then, in 1684, under a writ of *scire facias*, the charter was revoked and Joseph Dudley was named the first royal governor. If this action seems inconsistent with the liberal policy which Charles II had pursued elsewhere, the fact remains that the king waited over twenty years before bringing action, and during that time he received two full reports, showing that the authorities in Massachusetts had violated their own charter, besides ignoring some of the reasonable orders of the king.

During the first part of the reign of Charles II the Council for Foreign Plantations had advised the fusion of all the northern colonies into a single dominion. Only by such consolidation could the navigation system be adequately enforced. Then, beginning in 1675, the Lords of Trade had aimed at the union of all the proprietary and charter colonies, under royal supervision. This course seemed necessary because of commercial problems. It was the duty of the Lords of Trade to oversee the enforcement of the various laws designed to regulate commerce, and in doing so they were hampered and blocked by the consistent evasion of duties and by the widespread smuggling which was prevalent in America. The existence of several independent governments was proving to be a source of loss and weakness. Furthermore, some sort of centralized authority was needed to make possible the development of a profitable fur trade. This plan had for its object the transfer of the greater part of that trade from the French centers at Montreal and Quebec to the English center at Albany. In order to do this, the New England colonies would have to work with New York. Had the experiment proved successful, all the northern colonies might have profited from it, but New England would not cooperate. The only remedy was consolidation.

The
Dominion of
New England

The Lords of Trade had never been able to convert Charles II to their way of thinking, but James II proved responsive, and in 1686 the plans were worked out. These called for the union under a single government of all the colonies north of Pennsylvania. For the governor of this new dominion Sir Edmund Andros was selected. Andros was forty-nine years old at the time, a soldier, with considerable experience in administrative work; a man of ability with an honorable record, but somewhat lacking in the qualities of the diplomat. He was sent over to execute a definite plan, formulated by the Lords of Trade; he had no discretion regarding the form of government to be established. His position in New England was certain to be difficult, for while he was in sympathy with the plan, the New Englanders were not.

Andros was appointed in May, 1686, and entered Boston the following December. His whole administration, from that time until April, 1689, was a constant succession of disputes. The fact that he brought troops with him

aroused ill-will at the start, for the New Englanders were not accustomed to the sight of British uniforms. In fact, their only previous experience with them had been in 1664, in connection with the investigating committee of unpleasant memory.

The new governor was clothed with extensive powers. In the original draft of his commission the Lords of Trade had recognized the legal authority of the General Court, but King James II ordered them to put an end to the existing legislatures. Legally, therefore, the local assemblies ceased to exist. With the assistance of an appointive council of 42 members Andros had authority to make laws, levy taxes, and establish new courts of justice. He was empowered to grant religious toleration. Then, most important of all, he was instructed to enforce the Navigation Acts.

Upon his arrival Andros had intended to continue the old revenue laws until he and his council could make a careful study of the whole question of taxation. The Puritan authorities ruined this plan; under their direction the final session of the General Court repealed all tax laws. In attempting to work out a new law the governor antagonized both the landowners and the merchants. Actually neither the taxes nor the laws were in themselves burdensome, but the Puritans looked upon them as dangerous violations of American rights. The non-Puritans were not seriously disturbed because they had no voice in the government of Massachusetts anyway; they were no worse off under the tyranny of Andros than under the tyranny of the Puritans. Andros also worked to establish religious freedom, particularly so that members of the Church of England might enjoy their own form of worship. Under his auspices work was started on King's Chapel, the first Anglican Church to be built in Boston. Here again he antagonized the Puritans, but this part of his policy was pleasing to everybody else.

Still acting under his instructions, Andros tried other policies which were equally objectionable to non-Puritans and Puritans alike. He announced that the title deeds under which the inhabitants held their land were defective; and that new ones would have to be secured. These new deeds would all provide for payment of quit rents to the king. All landowners were incensed over this decree because any such wholesale attack upon their titles could result only in confusion and in expensive law suits.

Worse still, Andros proceeded to enforce the Navigation Acts. He actually put an end to the illegal trade with Europe, but the results were ruinous. For nearly three years, while the regulations remained in effect, business was ruined, shops were closed, and prominent merchants went into bankruptcy. With this policy Andros again antagonized both Puritans and non-Puritans and so prepared the way for his own downfall. In 1689, reports of the revolution against King James II in England reached Massachusetts. Taking advantage of the disturbance in England, the local leaders deposed and imprisoned Andros, and then sent him back to England. This ended the combined plans of consolidation of the colonies and their arbitrary control by the

British government. The local legislatures resumed their work, land titles were secure again, the Navigation Acts were no longer enforced, the illegal trade with the French and Spanish West Indies was resumed, and prosperity returned to the merchants and shipping interests.

The overthrow of Andros made necessary a new form of government for Massachusetts. In 1691, after the accession of William and Mary, a new charter was granted, under which Massachusetts became a modified royal colony. According to this arrangement, Massachusetts Bay, Plymouth, Maine, and for a short time, Nova Scotia, were all combined into a single colony. The new charter provided for a governor appointed by the king, a House of Representatives elected by the voters, and a council chosen by the General Court. Under this odd arrangement councilors could vote to continue themselves in office. Because there was legally no General Court in existence when the system went into effect, the first councilors were named in the charter. The governor, with the consent of the council, had power to appoint the judges, sheriffs, marshals, and certain other officials in the colony, and to adjourn or dissolve the General Court at will. Courts of justice might be established by act of the General Court, but parties to all important suits were given the right of appeal to England.

Royal
Government
for
Massachusetts

The powers of the General Court were slightly restricted. It received authority to vote taxes and to make laws, but the laws must not be inconsistent with those of England. The governor had absolute power of veto, and furthermore the laws were subject to disallowance by the Privy Council. While the House of Representatives appointed its own speaker and clerk, these appointees were subject to the governor's approval. All admiralty jurisdiction was reserved to the Crown, which meant that the colony had no authority over the regulation of trade and that all the officials concerned with customs matters were beyond the reach of the General Court.

Throughout the colonial period the two systems of local government and imperial regulation continued to develop, always closely related but always divergent, usually reconciling their differences but sometimes plunging into controversy. This new charter for Massachusetts, like the one granted to William Penn ten years earlier, attempted to reconcile the conflicting interests of the imperial government and the colonists. Actually it created an institutional basis for bitter disputes. The Americans already had well-defined ideas concerning the rights of their legislatures. This new charter placed the General Court of Massachusetts under limitations which were inconsistent with these alleged rights. The governor could interpose his authority with a veto after the legislature had acted, or he could even prevent action by dissolving the legislature. Again the charter provided no legal relief from the burdensome features of the Navigation Acts. The new authorities merely winked at their violation; more conscientious officials in England might at any time insist upon enforcement as vigorous as that carried out during the regime of Sir Edmund Andros. Fortunately for colo-

Colonies
versus
Empire

nial interests, the navigation system was not strictly upheld. During the first quarter of the eighteenth century, particularly in the administrations of Governors Shute, Burnet, and Belcher, there was a long-continued dispute between the executive and the legislature. These divergent interests did not necessarily point toward war, but arbitrary insistence by both sides on the maintenance of alleged rights might lead to war. This situation with its possibilities will need to be recalled when the Revolution is discussed.

The Conquest of New France

RIVALRY BETWEEN ENGLAND AND FRANCE

AS MEMBERS of the rapidly growing British Empire the American colonists derived certain advantages, both economic and political, from their connection with England. Because of this same connection they also labored under certain disadvantages, such as the mercantilist restrictions on economic development—if and when the restrictive regulations were enforced—and also the determination of the British to retain in their own hands a measure of control over American government. The beneficial and detrimental aspects of this relationship to the empire were also evident in the field of foreign affairs. The Americans relied upon the British army and navy for defense; at the same time wars between England and her continental neighbors were almost certain to spread to the colonies. Thus it came about that the Americans could not remain aloof from the long struggle between England and France, particularly when French colonial interests in America lay directly across Anglo-American lines of growth.

This contest was even longer than an earlier one known as the Hundred Years' War. From the accession of William of Orange in 1689 to the Peace of Paris in 1763, or perhaps better until the end of the fight with Napoleon in 1815, the British and the French were engaged in a struggle for commerce and colonies. There were intervals of peace between these dates, to be sure, but they were only truces during which both combatants could prepare for the next outbreak of hostilities. In these contests there were always two sets of issues involved, one bound up with colonial rivalry in the new world, the other with the balance of power in Europe. Thus the lack of stability in European relationships subjected the Americans to more than one aspect of the Gallic peril, and made them dependent upon England for protection. The constant pressure of a common enemy and the continuous need of help served temporarily to conceal that steady growth toward national maturity described in the preceding chapters.

American
Colonists and
European
Wars

The beginnings of Anglo-French rivalry actually dated back to the days of James I and Henry IV, for Quebec was founded in 1608, the year after the English settlement of Jamestown. Champlain had begun his explorations along the St. Lawrence still earlier, in 1603. A few years later he gave Iroquois Indians their first sight of firearms, and by unnecessary shooting he made them the bitter enemies of the French. Other causes served to

perpetuate this hostility. As a result, when the French tried to seize northern and western New York, they found the Iroquois standing in their way.

In the course of the seventeenth century the French established trading centers at both Quebec and Montreal, and then worked westward toward the Great Lakes region. Here widely scattered, thinly populated fur-trading posts, like Fort Frontenac at the outlet of Lake Ontario, Niagara, Detroit, and others strengthened the French hold on the country, and incidentally revealed the true nature of French colonial enterprises in America. Since they were interested not in farms but in furs, their activities in no way interfered with Indian occupation of the land. The French, therefore, were free to cultivate the friendship of the Indians—as they did after Champlain's unfortunate blunder with the Iroquois—instead of exterminating them, as the English farmers not infrequently did. The French preferred to keep the virgin territory unspoiled. At the same time they brought to the Indians the Roman Catholic faith, a form of worship which appealed with equal strength to the Indians in Canada and the Indians in Mexico.

Toward the end of the seventeenth century, La Salle began to investigate the possibilities of farming and of trade along the lower Mississippi, the same region that Spanish explorers had discovered and virtually abandoned a hundred and fifty-odd years before. In 1682 he built a fort at St. Louis, thus taking the first step in the project of linking French interests along the St. Lawrence and the Great Lakes with those on the Mississippi. Settlement in this newer part of New France, or Louisiana as it was called, came slowly. New Orleans was not founded until 1718; as late as 1750 the region could boast only six thousand inhabitants, two thousand of whom were Negro slaves. The other residents were mostly officials, traders, soldiers, or missionaries; real home-builders of the type so common in English settlements were rare.

Champlain and La Salle were the founders of New France; the builders of the French empire in America were Louis XIV and his financial adviser, Colbert. Their most famous agent in America was Count Frontenac, governor of Canada from 1672 to 1698, with the exception of the seven years before 1689. Supported by his superiors in France, Frontenac aimed to enlarge the French colonial holdings and to increase the strength of his army. As a means to the first end, he cultivated the Indians in the Ohio valley, and made a vigorous effort to win over the Iroquois from their English connections. While the English were establishing themselves on the seaboard, the French were looking toward the control of the great central valleys of North America. In their plans, the Ohio valley was essential because it furnished a shorter route from Canada to Louisiana than that by way of the Great Lakes.

Friction between the expanding interests developed early. One reason for the establishment of the New England Confederation was to provide for defense against possible French forays down the Connecticut valley. Then

with the establishment of the Hudson's Bay Company in 1670 the Restoration promoters planned to secure a share of the fur-trade, by establishing a line of communication with Lake Superior which should be beyond the reach of French influence. Again in 1685, Governor Dongan of New York, working with the Five Nations, had an ambitious plan to divert some or all of the fur trade from Montreal to Albany. This plan failed, not because of any inherent unsoundness or lack of British power to carry it out but largely because the New England interests would have nothing to do with it. They feared the loss of important business to New York. Because of his failure to win the necessary cooperation, Dongan had to abandon the enterprise.

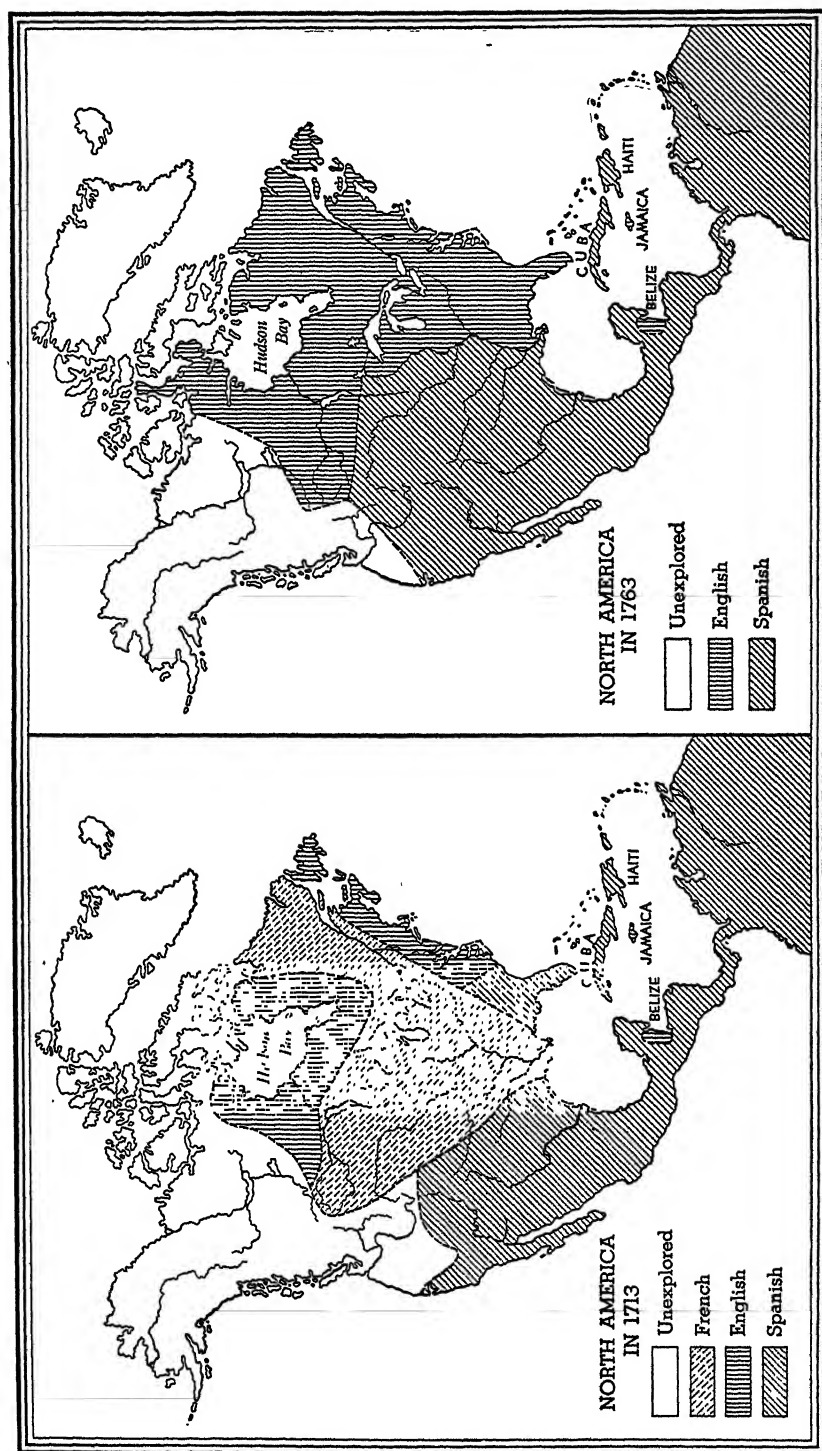
But these thrusts were merely preliminary and experimental. In 1690 Louis XIV became involved in the third of his series of wars, the War of the League of Augsburg, or of the Palatinate, as Europeans describe it, while the Americans prefer to call it King William's War. Count Frontenac, by no means unmindful of the English efforts to deprive the French of the fur trade, had designs on the Hudson River and New York. He sent marauding parties into both New York and New England, while the English and Americans tried to turn his attention elsewhere. A combined force of English and colonial troops actually captured the French naval base of Port Royal, in Nova Scotia; another Anglo-American force failed in an attack on Quebec. In 1697 the European diplomats signed the Peace of Ryswyck, restoring all conquests, and bringing back the *status quo*.

England
versus
France

The New Englanders who had gloried in their capture of Port Royal felt that their interests had been sacrificed in the game of continental diplomacy, which concerned them not at all. They resented and failed to understand the surrender of Port Royal. To them the American end of the conflict was all important. To England, on the other hand, this contest in North America was only one of a number. She had to meet the French threats in India, Africa, and the West Indies, as well as in Europe and North America, and her policies were shaped by the necessities of a complex situation.

Four years after the Peace of Ryswyck, Louis XIV took the risk of another war, his fourth and last, and also the longest and most costly for him. This was the War of the Spanish Succession, or Queen Anne's War in North America, a contest in which the balance of power in Europe was entangled with problems of commercial and colonial supremacy. In America hostilities were carried on in Nova Scotia, along the northwestern frontier, and in the South, because Spanish Florida and the Carolinas became involved. By the Peace of Utrecht, signed in 1713, the English were allowed to keep Acadia, or Nova Scotia, including of course Port Royal, now Annapolis, which they captured for the second time. Likewise they got Newfoundland, and a clear title to the Hudson Bay region, while the French were compelled to recognize the Iroquois as English subjects.

In addition to the territorial provisions of the Peace of Utrecht there were two important commercial grants, concessions which England secured from



MAP 6. ENGLISH EXTENSION OF AMERICAN TERRITORY AT THE EXPENSE OF THE FRENCH, 1713-1763.

Spain. England received a monopoly of the slave trade, and in addition the right to send one ship each year to the Spanish Main, to engage in general trade within the limits of the long-standing Spanish monopoly. These provisions go far toward explaining why the War of the Spanish Succession proved to be the forerunner of still greater contests to come. English merchants could not sell slaves in Spanish ports without getting into difficulties with the local officials. Furthermore, the privilege of sending one general trading vessel each year was stretched to cover a steadily increasing volume of trade with the Spanish colonies, most of which, from the Spanish point of view, was illegal. All this meant trouble between English merchants and Spanish port officers. Had it been isolated from other troublesome matters, this friction would not necessarily have led to war, but sooner or later it was almost certain to become bound up with the general diplomatic tangle in Europe. In 1733 the Spanish and French governments united in the Family Compact, an alliance aimed primarily at England, and thus another step was taken toward the next war. Walpole, the English prime minister, worked for peace and hostilities were averted until 1739. In that year, however, the tension between English traders and Spanish officials finally snapped. The war that followed is generally known as the War of Jenkins's Ear, so called in honor of one of the sufferers in the trade referred to. Captain Jenkins, otherwise unknown to fame, was so unfortunate as to have his ear sliced off by a Spanish sword. Carefully treasuring the detached organ, so the story goes, he exhibited it with telling effect on his return home, and by so doing aroused a demand, or furnished the pretext, for a new war with Spain.

England
versus
Spain

This contest in the West Indies was soon merged into a larger one, the War of the Austrian succession, in which the governments were struggling with the regular combination of issues: European balance of power, commerce, and colonial possessions. In Europe it was among other things a war of Prussia, assisted by France, against Austria, assisted by England. Frederick the Great wanted the province of Silesia, while Louis XV wanted the Austrian Netherlands. In North America the contest was known as King George's War. Perhaps the most spectacular episode in the American part of it was the capture of the new French stronghold at Louisburg, built after their loss of Port Royal in the preceding war. Louisburg was taken in 1745, by colonial forces under the command of William Pepperell, in an expedition organized by Governor Shirley of Massachusetts. Shirley tried to persuade Newcastle, Walpole's successor as head of the English Cabinet and master of the Whig majority in Parliament, to undertake a campaign for the conquest of Canada, but Newcastle lacked Shirley's vision.

Louisburg

In 1748 this war closed with a truce even more inconclusive than the others. The Peace of Aix-la-Chapelle provided for a mutual return of conquests—with the exception of Silesia, which the astute Frederick the Great was allowed to keep. Hence the colonists, still flushed with their great ex-

the government of Virginia had granted about two million acres to prospective settlers and speculators in the Ohio valley. In the meantime, promoters in other colonies were becoming interested in the prospects in this region. Philadelphia merchants, unwilling to see Virginia monopolize the new territory, were planning to send fur traders into the valley, and Benjamin Franklin tried to arouse enough interest to bring about the establishment of new colonies there.

The French in Canada, on the other hand, had interests in this very same Ohio valley and they were in no mood to stand by and watch the English occupy this region. They saw that, if successful, the English thrust westward through the Ohio valley would be a constant menace to the French hold on the Lakes, if not to Canada itself. In 1749 Duquesne, the governor of Canada, sent a small detachment to seize the disputed territory. By the spring of 1753, the French planned to occupy the strategic point at the junction of the Monongahela and the Allegheny Rivers, the beginning of the Ohio.

Alarmed at these significant measures, and urged on by a letter from Holderness, the British Secretary of State for the colonies, Governor Dinwiddie of Virginia decided to register a formal protest. In November, 1753, he sent George Washington to remonstrate with the French, on the ground that they were trespassing upon English soil. Washington spent the winter on this journey, which took him as far north as Lake Erie. He brought back nothing more satisfactory than a courteous announcement that the French would not withdraw. In the meantime, Dinwiddie sent a small force to build a fort at the beginning of the Ohio. In the spring of 1754 these Virginians were defeated and driven out by the French, who finished the fort themselves, calling it Fort Duquesne. Washington went to the rescue of the Virginians, but after a preliminary victory, he was compelled to surrender to the French. The long-expected war was on.

Washington
Meets the
French

In the meantime, the Board of Trade had been gathering information about these developments in North America and trying to formulate an effective policy with reference to them. In September, 1753, the Board directed the governors of New Hampshire, Massachusetts, New York, New Jersey, Pennsylvania, Maryland, and Virginia to arrange for a meeting with representatives of the Six Nations. The purpose of the proposed conference was an alliance between the colonies and the Indians. On June 19, 1754, delegates from the colonies named above, except New Jersey and Virginia, plus delegates from Rhode Island and Connecticut, met at Albany, New York. The events of that very spring furnished the clearest proof that action was needed; by the time the Albany Congress assembled, Washington had already been defeated at the forks of the Ohio and the French were securely established at Fort Duquesne. The advance of the French and the lack of any visible signs of colonial cooperation had already created an unfavorable impression in the minds of the Iroquois. "Look about your country and

The Albany
Congress

see," said Hendrick, the Mohawk chief, to the delegates at Albany; "you have no fortifications, no, not even in this town. It is but a step from Canada hither, and the French may come and turn you out of doors." Not even these steadfast allies of the English cared to pledge support to a cause already lost.

The question of an alliance with the Indians was inseparably connected with the issue of colonial defense, while adequate defense called for colonial union. All these topics were discussed at the Congress. Action proved to be difficult, because the delegates had not been given sufficient authority. Those from Massachusetts alone were empowered to enter any form of union; the others were authorized to discuss Indian affairs only. But thanks to the efforts of Benjamin Franklin and Governor Shirley, a plan of union was approved by the Congress.

This plan provided for a chief executive over the colonies, known as the president-general, to be appointed and supported by the Crown. Then there was to be a legislature, or Grand Council, consisting of forty-eight members, chosen by the colonial legislatures. The basis of representation was population and wealth. The council was to exercise general oversight of Indian affairs and of war; it was to have authority to raise and pay troops, build forts, equip a colonial navy, and to make the necessary laws and levy the necessary taxes for putting its policies into effect.

The plan was carefully worked out and it had certain merits, not the least of which was the arrangement for the participation of both the interested parties, England and the colonies. But there were also defects. It was plain that the Albany Plan would place upon the colonies a much greater portion of the cost of their own defense than they had ever carried before, and they demurred. What was the use of spending their own money when the English taxpayers might pay for this war as they had paid for the others? Furthermore, the notion of delegating to any authority any measure of control over taxation was contrary to American political theory. The center of the colonial constitutional system was the local legislature, and it required a revolution in more senses than one before the idea of a central government could even be tolerated. The colonial legislatures refused to ratify this part of the work of the Albany Congress, and so refused to take the most obvious step in the direction of adequate defense. As a result concerted action became practically impossible. The Americans were willing to accept protection, but not to assume the burden of defending themselves.

This same attitude of unwillingness to undergo expense even in the face of serious danger was demonstrated in the action of individual colonies. Early in 1754 the General Court of Massachusetts called Governor Shirley's attention to the advance of the French and urged him to ask for British help. In the same year the legislature of Connecticut asked the British government to send arms for defense. Two years later the same colony proposed that the king send over a fully equipped regiment, to be stationed in

Connecticut. Evidently the cost of this help would be met by the British. The General Court of Massachusetts suggested that the American governments might advance some of the money, but they were to be reimbursed by the British after the war was over. The Virginians were equally desirous of having British troops sent to aid them, and equally frank in their readiness to shift the cost to British taxpayers.

The British government never took any formal action on the Albany Plan, but in August, 1754, the Board of Trade submitted a plan of its own. This called for meetings of commissioners from the various colonies, to be appointed by the governors. These commissioners were to look after the interests of the colonies as a whole, especially defense. In addition, the British government would appoint a commander-in-chief of all military forces in North America. This was the only part of the Board's plan which went into effect. These plans are interesting in connection with the story of American growth, because their failure in 1754 shows how far removed the colonists were from union and a central government. The later theory of "States' rights" had roots reaching back almost to the beginning of the English plantations. The concept of "we, the people," as an American nation developed later.

THE FRENCH AND INDIAN WAR

The refusal of the American governments to provide machinery for common action made it necessary for the English Cabinet to meet the French menace. Its program called for the capture of Forts Duquesne, Niagara, and Crown Point, and the elimination of French adherents in Nova Scotia. At the same time, the navy was to be used to prevent French reinforcements from reaching Canada. Admiral Boscawen's failure in this part of the campaign came dangerously near to presenting the French with the Ohio. As it was, the English suffered serious reverses in the early part of the war.

The first of these defeats, that of General Braddock, occurred in 1755, not far from Fort Duquesne. Braddock's campaign antedated the formal declaration of war between England and France. The slow-moving British force, trying to conduct the campaign after the manner approved in Europe, was caught in a forest battle with the French and Indians. Braddock himself was killed; quantities of supplies were destroyed; and of the force of nineteen hundred men, less than five hundred came through uninjured. The enemy lost about twenty-five. The defeat opened up to Indian attacks the whole frontier back of Pennsylvania, Maryland, and Virginia, along a line 350 miles in length. Not a single British settler or trader remained west of the mountains, and Indian raiding parties burned, scalped, and massacred almost at will. To make matters worse, in the summer of 1755, English and colonial attacks on Crown Point and Niagara also failed.

Braddock's
Defeat

In Europe the formal declaration of war, in 1756, was preceded by an interesting diplomatic revolution. The French government, alarmed at the menacing rise of Prussia—and according to rumor, mortally offended be-

cause Frederick the Great had named his lap dog "Madame du Pompadour"—joined its traditional enemy, Austria, and also Russia and Poland, against Prussia and England. The war that followed, the Seven Years' War, stretched from North America and the West Indies across Europe to India. The formal declaration of war did not put an end to the series of reverses in North America. In 1756, the English lost Oswego and in 1757 an expedition against Louisburg failed dismally. The French also seized Fort William Henry on Lake George.

William Pitt

At that point William Pitt came to the rescue. He was convinced that he alone could save England and he took full charge of the Cabinet and of the war. In spite of his unlovable personality he had the knack of inspiring others with some of his own energy and enthusiasm. Under his driving power the English began to push the French back. Pitt appointed new generals, among whom were Amherst and Wolfe, and by 1758 the value of the new management was demonstrated. Louisburg was taken, next Duquesne, and then Fort Frontenac on Lake Ontario, all in this one year. The capture of Fort Frontenac cut the main line of communication between Canada and the French posts in the West, and, as a result, the chain of French forts in the Ohio valley had to yield. By the end of 1758, French power in the West was broken. In 1759, Wolfe won lasting fame by the capture of Quebec, the strongest of all the French positions in the new world. The capture of Montreal in 1760 destroyed French power in Canada, as that of Fort Frontenac had already done in the West. In that year, so far as North America was concerned, the war was over.

Peace of Paris

In the West Indies and in Europe hostilities continued until 1763. Spain entered the war in 1762 and the English thereupon took advantage of the chance to seize Cuba. Pitt, the great "organizer of victory," hampered by the peace policy of the new king, George III, and full of wrath at what he regarded as the bungling of the king's chief adviser, the Earl of Bute, had resigned in 1761. Two years later the war was brought to an end by the Peace of Paris. Under this treaty, England secured Canada and all the French possessions east of the Mississippi River. She likewise received the West Indian islands of Tobago, Dominica, Grenada, and St. Vincent. But France was permitted to keep her larger West Indian islands of Guadeloupe, Martinique, and Haiti. France also kept two little islands off Newfoundland, St. Pierre and Miquelon, used for drying fish. England restored Cuba to Spain but kept Florida. Then France gave the whole colony of Louisiana to Spain.

Great as the British gains were, Pitt and his admirers wrathfully declared that they were far short of what the victor should have had. One critic of the new Cabinet, John Wilkes, observed that the Peace of Paris was like the peace of God, because it passeth all understanding. Even so, England did well by herself. The Peace of Paris marked the end of the long contest between Great Britain and France for the control of North America.

The expulsion of the French from North America, by itself, was an event of unusual significance for the subsequent history of the world; so too was the great increase in the size of the British Empire. But even more important was the effect of the war on the relations between the British government and the continental British colonies. Before 1760, the colonists had felt the need of British protection against the constant danger of a French attack. This feeling of dependence had kept the Americans within bounds. Once the French menace disappeared, one of the chief bonds between colonies and empire suddenly disappeared.

Furthermore the Seven Years' War brought out certain weaknesses in the British system of defense as well as shortcomings in the commercial policy. The colonies were not qualified to engage in extensive military enterprises. The question of voting even a small sum of money, or of raising a handful of troops regularly resulted in weeks of debate, and more often than not, in a long dispute between governor and assembly over constitutional issues. It was to get around this weakness that the plans of union of the Albany Congress and of the Board of Trade had been evolved. American indifference to the problem and to the proposed remedies emphasized the defects of the colonial system. Not even the casualties of the war itself could shake the Americans out of their dilatory ways.

According to British plans the colonists were expected to furnish provisions for the British troops operating in North America, and to assist in quartering troops and in equipping forts. It fell to the colonial governors to see that the necessary action was taken. Of all the colonies, Massachusetts alone, under the inspiration of Governor William Shirley, really did as much as could reasonably be expected. Connecticut and Rhode Island were both afraid of doing more than their share. Of the group of New England colonies, New Hampshire was the most backward and much of the assistance finally given came too late to be of any value. The action of the New Hampshire legislature is a good illustration of the attitude of many of the governments toward the war. The leaders in the legislature looked upon the struggle with France as an opportunity to subject the governor still more completely to their control. For example, in 1756, the Assembly voted £30,000 for the Crown Point campaign, but in the bill appropriating the money, it appointed its own agents to go to New York in order to supervise the expenditure of the funds. The opportunities for obstruction in such a policy require little comment, and it is plain that anything like concentration of effort and power was rendered impossible.

Colonial
Contributions

Of the middle colonies New York stood fourth in the amount of money appropriated on account of the war. Massachusetts, Connecticut, and New York furnished 70 per cent of the total number of colonial forces. During the first part of the struggle New York's contributions were so hedged with restrictions, like those described in New Hampshire, that the help given was sometimes nearly worthless. Toward the end, after the governor had

surrendered to the Assembly, the grants were more liberal. New Jersey, one of the smaller colonies, did fairly well, considerably better than Maryland or the Carolinas.

In Pennsylvania, one of the largest and wealthiest of the colonies, the struggle between the Assembly and the proprietary governor took precedence over the war itself. In 1754, a small grant of £5,000 was made, but in accordance with approved colonial custom, it was placed at the disposal of a committee of the legislature. During the rest of 1754 and the whole of the critical year of 1755, nothing else was done. Thus, while the French were building Fort Duquesne and Braddock was moving towards defeat for his army and death for himself, the Pennsylvanians hardly turned a hand to ward off the danger. They preferred to let the French and Indians overrun the whole frontier rather than to cooperate in any general plan of defense. Even when Braddock's men were getting under way, it was difficult to secure conveyance for the troops, and certain Pennsylvania merchants, including some members of the Assembly, sold powder and other supplies to the French and Indians.

In Maryland little was done until the governor yielded to the Assembly, and then some money was granted. But the Maryland Assembly put all Maryland troops under the direction of a committee of its own choosing, and specified the time, place, and under what commanders, they should serve. When Loudoun was the British commander-in-chief in North America, the legislature refused to allow any Maryland troops to serve under him.

Because of her numerous speculative interests in western lands, Virginia had more at stake in the contest over the Ohio valley than any other single colony. Governor Dinwiddie was aware of this interest, and in 1753 and 1754 he tried to arouse in the House of Burgesses an appreciation of the seriousness of the coming crisis and to induce the members to provide funds and troops for an active campaign. His efforts to secure appropriations were constantly thwarted by his opponents in the House, and his plans for striking a vigorous blow at the French had to be abandoned. In 1754 he did succeed in getting an appropriation of £10,000, placed, however, not in his hands, but in those of a committee of the House. Dinwiddie was both discouraged and disgusted at the attitude of the House of Burgesses. The following year brought no change in the situation, and the governor dissolved the House, characterizing the members as "very mutinous and unmannerly." However, as in the case of Maryland, once a more compliant governor than Dinwiddie came over, the House of Burgesses became fairly liberal. The contributions of North and South Carolina were negligible. Evidently the American leaders trusted to the British army and navy to win the war, while they themselves seemed more interested in winning victories over the royal or proprietary governors. The restrictions on their grants seriously handicapped

the directors of the campaigns. Unity of command might be imposed from above, but unity in colonial efforts was wanting.

Under these circumstances, the British charges of American ingratitude and indifference are not surprising. According to English officials, the only solution of the difficulty was a larger measure of parliamentary control, supported by parliamentary taxation; this would necessarily call for a revision of the existing relationship between colonies and empire. So the war raised the question of imperial reorganization, with special reference to the needs of defense. This aspect of colonial history had a definite influence upon the Cabinet in their experiments with a new colonial policy.

Clash of
Imperial and
Local
Interests

The question of imperial reorganization was raised again by the continuance during the war of the trade between the commercial colonies and the French West Indies. The merchants had been so long accustomed to selling to the French, and to buying and smuggling French molasses, that they continued it as a matter of course. Likewise the French West Indies had become so dependent upon North American food supplies that they were inclined to rely upon the same source in spite of war. Trade with the enemy had been made illegal by act of Parliament and by act of some of the colonial legislatures, notably those of Pennsylvania and New York.

Part of the trade with the enemy was carried on with Canada. The French forces there were supplied with beef, pork, and flour, chiefly from Pennsylvania, New York, and New England. Some of these provisions were sent overland, some by way of Cape Breton. This maritime line was especially valuable, because at Cape Breton the New England skippers could pick up French molasses and sugar for their return cargoes. According to Governor Dinwiddie, who was in close touch with conditions at this time, the French expeditions into the Ohio valley in 1755 were made possible largely through these supplies from the English colonies. In other words, New York and Pennsylvania really furnished the means whereby the French defeated Braddock.

Trade with
the French

Those who were especially interested in defeating the French tried to stop illegal trade. Governor Dinwiddie urged that provisions be placed upon the list of enumerated commodities, so that export outside the British Empire might be forbidden. The English government was unwilling to go that far, but it did order the navy to break up the trade. In three leading commercial colonies, Pennsylvania, Massachusetts, and New York, the governments prohibited exports to the French. These efforts amounted to little, and the trade went on. The Rhode Islanders were notorious for their open commerce with the French. Loudoun wrote Pitt that the traders there were "a lawless set of smugglers, who continually supply the Enemy with what provisions they want, and bring back their Goods in Barter for them." In 1757, the year after the formal declaration of war, Parliament passed a law prohibiting for the duration of the war the export of provisions to any ports outside the British Empire.

The passage of this law had no appreciable effect and trade with the French continued without interruption until 1761. The French officials were glad to sanction the trade, even going so far as to license American ships to protect them from the French navy. Some of the commerce was carried on openly, some under thinly veiled disguises. American merchant vessels carried passes to the French islands under flags of truce, theoretically for the exchange of prisoners of war, actually for commercial purposes. Before the war was over these flag-of-truce passes became an open scandal. Governor Fauquier of Virginia reported that he was offered four hundred guineas for a single one. Governor Denny of Pennsylvania made a practice of selling blank ones, for £20 apiece. These could be filled in by the purchaser. Protected by such passes colonial captains were free to sail for any French port and to trade openly with the enemy. Sometimes a captain had the forethought to take one or two prisoners of war for the sake of form. By this subterfuge American merchants turned the war into a profitable financial venture for themselves and for the farmers whose produce they sold. In those enterprises perhaps Rhode Island and Pennsylvania were the most active. In 1759 and 1760 the Delaware River at Philadelphia often literally swarmed with vessels, unloading cargoes received from the French in exchange for provisions. This was the main interest of a majority of the Philadelphia merchants.

But the Philadelphians were not alone in their illegal trade. Some of the most prominent merchants in Boston, Providence, Newport, and New York had a hand in it. When Pitt complained of this notorious fact and called upon the local authorities to stop it, the general response was a profession of ignorance. A committee of the council of Massachusetts reported that they could find no evidence of any commercial connection between their colony and the French islands since the beginning of the war. Governor Fitch of Connecticut wrote in similar vein. Governor Hopkins of Rhode Island was more honest. He admitted that trade was going on but he justified it on grounds of economic necessity. This plea was not entirely ingenuous. To be sure, these merchants had relied upon French West Indian commerce for normal profits in time of peace. But the war had increased the demand and raised the price of foodstuffs in the English colonies, so trade with the enemy was not essential.

There was also a flourishing trade between North American ports and the French, carried on through the neutral Spanish port of Monte Cristi. This town was in Santo Domingo, just over the border from Haiti, and although its political connections were Spanish, its economic and commercial connections were French. All the exports from Monte Cristi were French, all the imports destined for the French. Down to 1761, Monte Cristi imported from British North America, such commodities as grain, meat, fish, horses, lumber, British manufactured goods, and even war supplies. On one day, February 5, 1759, there were twenty-eight vessels in Monte Cristi harbor:

seven from New York, eight from Rhode Island, eight from Massachusetts, four from Connecticut, and one from Virginia. During one week in 1760, an average of fifty vessels a day put in to that port, almost all of which came from the British North American colonies. Occasionally there were as many as a hundred vessels, all from the same ports, in the harbor in one day. Merchants from Massachusetts, Connecticut, and Rhode Island were the most active in that profitable branch of commerce.

The results of the trade were evident. The regular export of provisions in large quantities so drained the colonies that the English armies operating there had to be supplied in part from England; thus the illicit American commerce added considerably to the difficulty and the expense of prosecuting the war. Provisions were actually more plentiful in the French West Indies than in the English islands.

**Results of the
Trade**

With this help secured from the American merchants the French could supply their privateers; they were a constant menace to English commerce. Not only were the French West Indies enabled to hold out, but according to no less an authority than Pitt himself, the war lasted three years longer than necessary because American merchants frustrated the work of the British navy. Thus the commercial colonies were in the anomalous position of fighting the French in Canada and feeding them in the West Indies.

In 1760 William Pitt sent a circular letter to the colonial governors urging them to bring to judgment all merchants implicated in illegal trade. British prize courts condemned vessels which were caught in it and the British navy made attempts to check it, but still the trade continued. In this connection Pitt also ordered the customs officers to enforce the Molasses Act of 1733. Here he achieved a degree of success, the measure of which may be observed partly in the reports to the Treasury, and partly in the intensity of opposition created by the policy. Between 1734 and 1755 the total revenue collected under this law was only £5,686. During the years of the war, thanks to Pitt's efforts, the collections amounted to £4,375. But this enforcement led to friction between the merchants and the customs officers and the local courts of justice showed marked consideration for those merchants who habitually broke the law.

**Enforcement
of the
Molasses Act**

In Boston Pitt's efforts at enforcement led to a contest between merchants and British officials which is sometimes described as one of the early stages of the Revolution. In searching for smuggled goods the customs men resorted to the use of Writs of Assistance, more properly general search warrants. The ordinary warrant was worthless because it had to specify both the place to be searched and the goods supposed to be there. By the time the officials succeeded in getting in, the place would be empty. With a Writ of Assistance officials could go anywhere. In 1759 and 1760, the Boston merchants tried to have the Superior Court of Massachusetts declare such writs illegal. Two Boston lawyers, Oxenbridge Thacher and James Otis, argued the case for the merchants. Otis made a vivid appeal to the emotions

**Writs of
Assistance**

of his hearers, but in spite of that he lost his case, and the Writs of Assistance were used down to the time of the Revolution. However, even though Otis failed in this appeal, he made such a reputation for himself that he was chosen as one of the four representatives of Boston in the General Court.

This dispute between the customs officers and the merchants lasted throughout the war, and various schemes were used to undermine the service. Frequently merchants who were convicted in the Admiralty courts on charges of smuggling would bring damage suits against the customs officials in the common-law courts, and local juries would regularly bring in verdicts for the merchants.

British Administrative Reform and Colonial Opposition

BACKGROUND OF THE AMERICAN REVOLUTION

TWELVE years after the close of the Seven Years' War thirteen of the thirty-three British colonies were in rebellion. In 1763 probably no one foresaw any such drastic disturbance in the empire; certainly the surviving documents give no inkling that the people were thinking of revolution. On the contrary, most Americans accepted their status in the empire as a part of the eternal verities. To be sure, there was complaint against the British government, just as there is and ought to be some complaint against every free government. But the colonist who found fault had no thought of seceding from the empire; he was in the same relative position as the American today who indulges in loud vocal attacks upon the party in power. Adverse criticism does not necessarily point toward the overthrow of the established order.

It is difficult to assign the beginning of the Revolution to any particular year or decade. Traces of the state of mind which made it possible are discernible in the great Puritan migration to New England and in the movement toward the frontier. Both the desire and the determination to run their affairs in their own way were almost a part of Puritan dogma, while those who disliked Puritanism expressed their disapproval and went elsewhere. In Virginia the small planters inherited a tradition of independence and their mode of life was an illustration of freedom. Colonies established by dissenters and peopled by the dissatisfied were likely to generate a sense of restlessness under any authority too obviously exercised. The people were always inclined to listen to those who made a specialty of pointing out the evils amid which they were living. So in trying to explain the Revolution it is necessary to take into account the whole story of American growth, as well as the objectionable features of British policy. As a result of this growth, the colonies had developed a form of government which left them with comparatively little dependence upon England, and an economic organization only in part dependent upon English connections. Under these circumstances, the attempt to substitute a more efficient system of colonial control for the easy-going English policy which preceded the Seven Years' War, would arouse resentment. And yet the developments

**American
Attitudes**

which had taken place in this war made additional administrative policies for the colonies inevitable.

New
Problems

Certain specific problems called for immediate solution. Canada in the north and Florida in the south, recently incorporated in the empire by means of conquest, were inhabited by French and Spanish aliens. These people were not only unfamiliar with English ways, but in many respects hostile to them. A form of government was needed which would arouse the least possible new bitterness, and which would nevertheless enable English officials to assert their authority if necessary.

Along with this problem of government for Canada and Florida there was the larger question of the West, the area lying between Canada and western Florida, and between the Alleghenies and the Mississippi. Here too there were problems of government, including the important matter of additional funds to meet the costs of administration and defense against attack. Britain had come out of the Seven Years' War with impressive territorial gains but much time would be required to make these regions economically profitable. Unable to provide for their own defense, they were dependent for this service upon other parts of the empire. Somebody had to provide substantial sums of money.

Rivalry in the
West

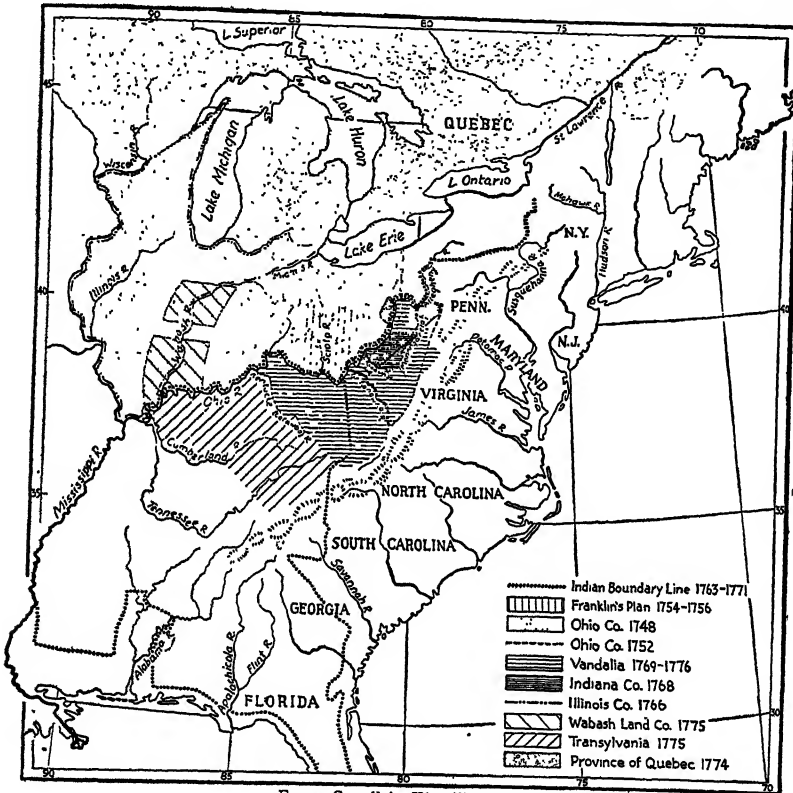
There was also the problem of American rivalry in the West. Several of the older colonies had overlapping claims in this region. The Virginians were there, actually at work before 1755, and in 1763 they proceeded to pick up the threads of their interests which the war had compelled them to drop. First the Virginia troops to whom Governor Dinwiddie had promised land grants in the Ohio valley united to promote their claims, and in this work they had the energetic support of George Washington. Under his leadership they sent a petition to the king, which the Board of Trade began to consider in March, 1763. The Ohio Company then sent a special agent to London, to make sure that their interests were not overlooked. Next, in June, 1763, the Mississippi Company was founded. This included promoters from Virginia and Maryland, prominent among whom were George Washington, the Lees of Virginia, the Fitzhughs, and others. This new concern sought to obtain from the Crown a grant of 2,500,000 acres on the Mississippi River, of which each one of the adventurers was to get 50,000 acres for himself. In September, 1763, this company sent a memorial to the king.

These American efforts to exploit the coveted region were observed with considerable concern in England. Official opinion there was divided. One group, including the influential Hudson's Bay Company, advocated a policy somewhat like that of the French, that is, development of the fur-trade; they opposed settlements beyond the Alleghenies. Another group urged the promotion of populous colonies to serve as markets for British manufactures. But while this second group was interested in developing the new regions, it was opposed to giving the Americans a free hand there. If exploitation was to take place, let it be under the auspices of the whole empire,

rather than of one or two especially favored colonies. The imperial government was the proper organization to promote new plantations.

Unfortunately, these important questions could not be considered solely on their own merits. In England there were political entanglements which stood in the way of an impartial solution, while in America the question of western policy was bound up with the Indian problem. The Indians

Indian Policy



From Savelle's *The Foundations of American Civilization*

MAP 7. COLONIAL PROJECTS IN THE NEW WEST, 1748-1775.

realized that English control of the Ohio valley would mean something very different from the French fur-trading system. It was the custom of the English to stay, to cut up the country into farms, and to drive out the game, the fur-bearing animals, and the Indians too. Beside this fundamental source of friction, there was the attitude of the British traders. They were always ready to rob the Indians. Then the French constantly encouraged the Indians in their hostile attitude; they spread reports that the English could not hold the land which they had won, and that the French would soon be restored to power.

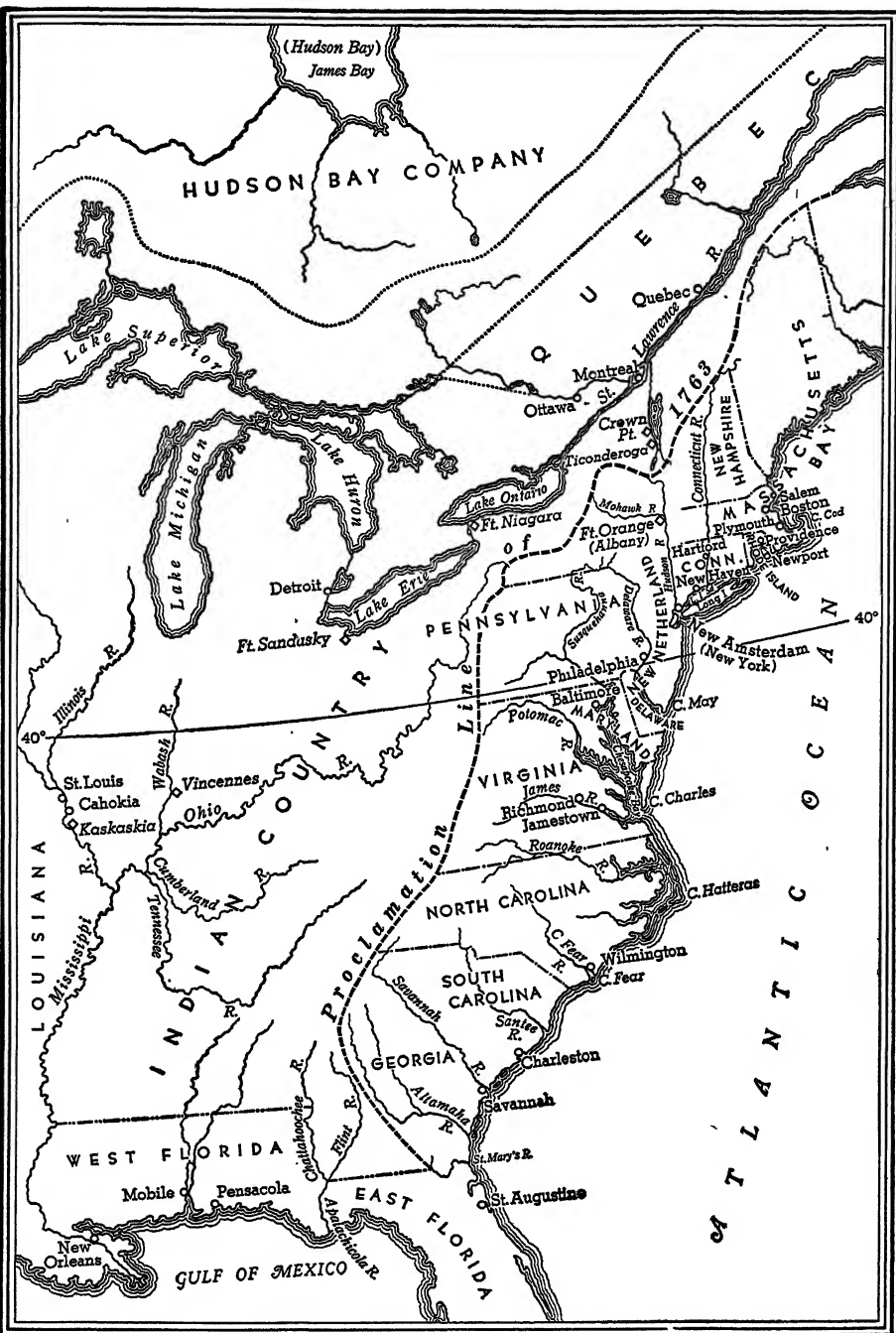
It might have been good policy for the English to conciliate the natives, but instead of doing so, the military men in charge chose the opposite course.

General Amherst did not believe in bribing the Indians to remain quiet, so he cut off the presents which they had been receiving. He also prevented them from getting supplies of powder and lead, and he tried to deprive them of rum. Ordinarily a humane and respectable gentleman, Amherst seems to have adopted the traditional slogan of the frontier that the only good Indian is a dead Indian. In any case he wrote to one of his agents: "You will do well to try to inoculate the Indians by means of blankets"—that is, try to spread smallpox among them—"as well as to try every other method that can serve to extirpate this execrable race. I should be very glad your scheme for hunting them down by dogs could take effect."

For various reasons the Indians became restless and then hostile. The final impetus to revolt was given by the chief Pontiac, who possessed the traits of a revolutionary organizer. On May 7, 1763, the Indians started the uprising known as Pontiac's Conspiracy. They had planned a surprise attack on Detroit, but this failed because the English got warning in time. But once on the war path, the Indians captured and massacred all the other garrisons west of Niagara, and during the summer of 1763 the whole Northwest was in an uproar. It appeared for a time that neither the American colonists nor the English government would have any control over the destinies of the region. But then, as always, superior resources began to tell, and in October Pontiac asked for terms. Peace was restored in the following spring.

This Indian war, which threatened to deprive the British Empire of some of its most valuable gains under the Peace of Paris, made necessary a definite, precise statement of the western and Indian policies of the British government. Indian affairs had to be organized, but there were serious differences of opinion as to method. Some members of the Cabinet advocated the creation of a strong, independent department for the management of all Indian affairs; others preferred to leave the whole question of Indian control to the military department; a third group suggested that the British government ignore the Indian question, and leave it to the colonists.

Pontiac's Conspiracy emphasized still another aspect of the problem: the necessity of protection against similar outbursts in the future. Who should pay the taxes needed to uphold British authority? If the experience of the Seven Years' War counted for anything, the Americans would not assume the burden voluntarily; during the Conspiracy they refused again to pay more than was absolutely required. In the spring of 1763 the three New England colonies of New Hampshire, Massachusetts, and Rhode Island refused to comply with specific requests for help from the English commanders. Leaders in Virginia asked the British government for British garrisons on the frontier. Benjamin Franklin seems to have been alone among the colonists in suggesting that the Americans would really profit in the long run from any expense incurred in guarding their own frontiers. Closely connected with the Indian problem was the question of white



MAP 8. THE PROCLAMATION LINE OF 1763.

settlement beyond the mountains. A boundary line was needed to separate the Indian country from the regions open to white pioneers.

Proclamation
of 1763

Most of the issues described above were dealt with in the Proclamation of 1763. The boundaries of the newly acquired regions were defined as clearly as possible. Next came a plan of government for the same areas. There were three of these provinces on the continent: Quebec, East Florida, and West Florida; a fourth, called Grenada, included the West Indian islands recently acquired from France. As soon as the population should be large enough to warrant its introduction, the government was to be of the ordinary type in operation in the royal colonies already established. Until that time, the royal governor was to have supreme authority, without any elective legislature.

With reference to the Indian problem, the Proclamation fixed the line between Indian territory and the region open for settlement at the Appalachian divide. Everything beyond was a great Indian reservation, in which white settlement was not allowed. Private purchases of land from the Indians were prohibited, and the governors in all the colonies, old and new, were forbidden to make any land grants within the territory set apart for the red men. Settlers already located in the region were ordered out.

The Proclamation placed the control of the Indian trade in the hands of the imperial government, and in addition to being licensed every trader was required to bind himself to observe any rules that might be made.

There were certain specific blunders in the Proclamation, the chief of which was the provision that English law was to prevail in the three new provinces. An English attorney-general characterized this as "an act of the grossest and absurdest and cruelest tyranny, that a conquering nation ever practiced over a conquered country." This blunder was rectified in the Quebec Act, eleven years later.

In the colonies there was uncertainty or bitterness over the possible effect of the Proclamation on the westward movement, but this feeling was due to misunderstanding. The king's ministers looked upon the establishment of the Indian boundary line as a tentative measure; they hoped to guide settlements into the eastern part of the new provinces, and then, gradually by purchase, to extinguish the Indian title in the reservation. The obstruction of the westward advance would be only temporary. But in accordance with the approved principles of diplomacy, the Indians had to be assured that the policy was permanent, and that the line would stay. Whatever the Indians may have been led to believe, the American colonists assumed that they were to be permanently excluded from the West.

Taxation and
the West

There is still one more phase of this new western policy to be considered: that of taxation and finance. In English official circles there was a growing conviction that a share of the additional administrative costs should be carried by the Americans. They had a direct stake in the profitable development

of the West; if they would not assume the burden voluntarily, Parliament might fall back upon its latent power and compel them to contribute.

This suggestion supplies another reason for attributing so much importance to the Proclamation of 1763. Out of the need of funds to make it effective came George Grenville's revenue measures of 1764 and 1765, the Sugar and Stamp Acts. The new plans for taxing the colonies were the product, not of any policy of tyranny, but of the financial requirements growing out of the needs of the West. It is rather curious that around these revenue measures, which in England were looked upon simply as incidents in the great general problem of imperial organization, there should have developed the first spectacular repudiation of its authority which the British government had encountered.

ANGLO-AMERICAN FRICTION

At the very time when these new experiments were being tried, colonial leaders had occasion to look carefully into the whole question of the colonial status, particularly in those aspects of it which emphasized the subordination of Americans to British authority. Reference has been made to the attack upon the customs service in Massachusetts occasioned by the newly-formed decision to enforce the old Molasses Act, and to Otis's speech against the Writs of Assistance. Otis was not an advocate of independence but of autonomy. On the basis of autonomy he denied the legality of the Writs and by so doing he raised the issue of the nature and extent of British control.

In 1763 another American lawyer, Patrick Henry of Virginia, denied the right of the Privy Council to disallow a colonial law. Henry's argument was made in a legal dispute over a clergyman's salary and therefore the episode is referred to under the name of the Parsons' Cause. In Virginia clergymen of the established church were public officials, paid by the colony. Under laws in force until 1758, each minister received 17,280 pounds of tobacco, regardless of the size of his parish, his own abilities, or the current price of tobacco. Since this varied from one penny to six pence per pound, the clergymen fared well in good years. In 1758, when tobacco was high, the Virginia legislature passed a law, ordering payment of these salaries in money, at the rate of two pence per pound of tobacco. In view of the fact that the market price that year was about three times as much, the clergymen felt that they were being cheated. The effect of the law was to reduce the real salary, in terms of pounds sterling, from £400 to £144. The clergy therefore carried their grievances to the Crown and the Privy Council disallowed the law. Then some of the clergy sued the government for back pay. The most famous of these suits was brought by Reverend James Maury, in the court of Hanover County. The vestry retained Patrick Henry to defend its interests against the rector. Legally the colony owed back pay to the rector, but Henry made such a clever appeal to the jury that instead of giving the clergyman the amount to which the law clearly entitled him,

The Parsons'
Cause

they gave him one penny. The basis of Henry's argument was a flat denial of the right of the Privy Council to disallow acts of the colonial legislature. The statute under discussion had been passed to meet an emergency, and Henry insisted that the local legislature had full authority to act. On the strength of this speech to the jury he was elected to the House of Burgesses. Both in Massachusetts and in Virginia, therefore, the two lawyers who had come out strongly in opposition to certain forms of British authority found themselves clothed with new power as members of their respective colonial assemblies.

pposition to
itish
upremacy

In addition to these specific denials of the principle of British supremacy, there were other forces at work in American politics and government which might have a bearing on any dispute between the empire and the colonies. Out of the contest between the merchants and the customs officers in Massachusetts there developed a sort of *bloc* in the legislature, the members of which made political capital out of their opposition to the royal officials. The size of this group fluctuated from time to time, in accordance with the ebb and flow of feeling over new British policy. A minority until 1765, it became a majority then, and remained in control of the General Court until 1771. The leaders of this party in Massachusetts were James Otis, Samuel Adams, and John Hancock. This group will be described more fully later. The point here is that the attempt of the British government to enforce some of the old laws of trade marked the beginning of a political group, the business of which was opposition to imperial policies. With this organization already in existence and at work, there was little chance of success with any measure that seemed to violate American traditions.

In Virginia, the leading colony of the southern or plantation group, there were also signs of a lively party controversy in the legislature. Ever since the seventeenth century the House of Burgesses had held an important place in the social as well as the political life of the colony. As the tidewater aristocracy developed during the eighteenth century, the members turned to politics. They were well-trained men, in many cases educated in English universities, able in all respects to take high rank in legislative work. Men of this type were conservative, and inclined to accept the British system as they found it.

By the middle of the eighteenth century, a new element, more typically American than the tidewater aristocracy, was demanding recognition in the House of Burgesses. This was the group of democratic representatives from the piedmont, whose leaders were always trying to gain more influence in affairs of government, both for themselves and for their counties. In this sectional contest in Virginia each side eagerly grasped any issue to promote its own interests. These political dissenters in the house soon found a leader in Patrick Henry.

In Pennsylvania there was another type of contest, slightly different from those in Massachusetts and Virginia, but equally favorable for the capitali-

zation of any dispute over British power. In this proprietary colony the dominant group in the government, corresponding to the tidewater planters in Virginia, was composed of the Quakers in the three eastern counties: Philadelphia, Chester, and Bucks. The opposition included the Germans and Scotch-Irish in the western counties, and workingmen in the city of Philadelphia. The western farmers found that their natural economic outlet was the Susquehanna, which connected them with the city of Baltimore in Maryland, rather than with Philadelphia, and this tended to widen the gap. Then the Philadelphia artisans, who did not enjoy the right to vote, felt that they were ill-treated and oppressed by the Quaker aristocracy. Thus a common grievance tied these two dissimilar factions together.

Pennsylvania
Politics

The concrete issues in the dispute between the aristocracy and their opponents were the important matters of taxation and representation. From 1760 to 1776 the struggle between the two continued, and then it was merged into the larger controversy of the Revolution. In the matter of representation, the grievance of the western counties was genuine enough. As these newer regions increased in population, they had not been granted representation in the legislature commensurate with their numbers. The older counties, in power at the beginning, determined to keep what they had by the simple, undemocratic method of ignoring the just claims of the West. The following table shows the situation:

Philadelphia
Against the
West

	<i>Taxable Population</i>	<i>Numbers in Legislature</i>
Philadelphia County	5,678	8
Philadelphia City	2,634	2
Chester	4,761	8
Bucks	3,148	8
Lancaster	5,635	4
York	3,302	2
Berks	3,016	1
Cumberland	1,501	2
Northampton	1,989	1

The three eastern counties, including the city of Philadelphia, had twenty-six representatives for 16,221 taxable inhabitants, while the five western counties had only ten representatives for 15,443 taxables. This was the situation in 1760, and it remained unchanged until 1769, in spite of the fact that the five newer counties were steadily increasing in population. In 1771, 1772, 1773 a new county was organized each year, with one representative each, so there was no change in principle until 1776. No further explanation is needed to show why the Quaker aristocracy of the East was meeting with bitter opposition.

During the early stages of the Revolutionary movement—that is, after 1760—the Quakers joined with those in the other colonies who actively opposed the new British policy. This was especially true in the case of the

Stamp Act. But these Pennsylvania conservatives soon learned that the very arguments which they were using against the authority of Parliament were being taken up by the malcontents in their own colony, and turned against themselves. The Quakers consequently came to realize that the success of the opposition to British authority would mean a corresponding success of the unrepresented western counties, and the loss of their own commanding position. Hence, when the Revolution finally came, many of the eastern aristocrats became Loyalists.

In trying to restrict the power of the eastern leaders, the Scotch-Irish and Germans in the western counties evolved a political organization which, if necessary, could be used to upset British authority. Had it not been for the bitter local controversy, the Pennsylvanians might have shown little interest in a dispute with England. Pennsylvania as a colony suffered no serious grievances after 1770. After the storms over the Stamp Act and non-importation had subsided, it was the unfranchised workingmen in Philadelphia and the western farmers with their committees, conventions, and political machinery generally, that made it possible for the leaders to continue the struggle. The colonial revolution, destined to come sooner or later, thus furnished the opportunity to carry the larger movement to success.

Controversies such as those just described, the combination of local political disputes with opposition to certain objectionable British measures, did not necessarily mean separation from England. To be sure they revealed a delicate situation, one that needed to be handled with care, but one by no means beyond the powers of good statesmanship. But at that particular time the level of statesmanship in England was low. In order to explain the blundering in connection with American affairs throughout this period, it is necessary to bear in mind the nature of English politics during the eighteenth century. For the forty years preceding 1760 the Whigs had controlled the government. The two leading prime ministers, Walpole and Newcastle, had both used the same methods: the purchase of votes, and simple bribery to retain the votes once bought. During the reigns of the first two Georges, the ministry had formed the habit of deciding everything; and the same group of Whig politicians planned to dominate the new king, George III, in the same way.

But whatever else he may have been, George III was no fool at the art of disreputable politics. He had no intention of letting the Cabinet lord it over him as they had over his two royal ancestors. Moreover, he was not the only politician who objected to seeing the Whigs get all the "plums" of office. Once it became clear that the king was ready to rule, he was able to recruit a number of kindred spirits, known as the king's friends, who had no guiding principles except opposition to the Whigs and subjection to him. It was not long before Newcastle was crowded out. In 1761 the great William Pitt resigned, and Lord Bute, one of the king's friends, became one of the Secretaries of State; eventually he and the king secured a majority

politics in
England

George III

in the House of Commons. At this success the Whigs became furious. They had monopolized the system of rotten politics so long that they could not bear to see their pre-eminence disappear, and they hated George III because he had beaten them at their own game.

In the meantime, the Whig party was splitting into fragments, the leaders of which were actuated largely by selfish motives. The more important of these groups were the "old Whigs," led by Newcastle, and later by Rockingham, and including the famous Edmund Burke. Almost as important were the "Pittites," of whom William Pitt was the guiding spirit, with Shelburne as second in command. There was another group led by the Duke of Bedford, popularly known as the "Bloomsbury Gang" and after them the faction led by Pitt's brother-in-law, George Grenville. These were not real parties, but merely "a shifting system of unstable groups."

Because no one of these groups could get a majority, the Cabinets had to be made up of representatives from several. With such patchwork administrations, consistent, sensible action was virtually impossible. Upon these men of narrow minds and narrower visions, interested in the petty details of backstairs politics, fell the responsibility of dealing with the new problems of the British Empire. As professional politicians go, they were not especially incompetent; in fact, they were excellent specimens of their kind. Furthermore, they were not tyrants. Tyranny was probably farther removed from their thoughts than anything else. The chief concern of those actually in office was to hold their jobs, while those less fortunate were pulling wires to get in. Incidentally, they tried as honestly and as conscientiously as men could, to do something worth while with those puzzling North American questions. Nothing would have pleased them better than to see the wheels of government move smoothly, because then they and their friends would find it easier to turn their offices to good account.

EXPERIMENTS WITH NEW TAXES

It was in the midst of this combination of political ineptitude in Britain and of dynamic interest in local concerns in America that the English authorities undertook to revamp the machinery of imperial control. Leadership in this thankless job fell to George Grenville, at the time Chancellor of the Exchequer. Grenville has been aptly described as "the fingers rather than the soul of good government," that is, a small-minded man whose interest in mechanical efficiency blinded him to the fact that persons affected by administrative measures are human beings.

Grenville's
"Reforms"

Beginning in 1764 Grenville started to reform the British Empire. He aimed to make all officials more efficient. To this end he issued an order directed to all appointees holding colonial offices; he called upon them either to go to their posts and begin work or to resign. This order was revolutionary. Men received these colonial jobs, not in the expectation of doing any work—that could be handled by subordinates—but in the hope

of drawing salaries. In other words, the appointments were part of the system of political patronage of that day. Grenville's specific aim was to strengthen the hands of the customs service in America, in an effort to enforce the Navigation Acts.

Also in the interests of efficiency Grenville proposed to make some of the British officials in the colonies independent of the local assemblies. If they could be encouraged to look to the British Treasury for support, they would be considerably less responsive to the pressure applied to them by local American politicians. Along with these objectives Grenville proposed to raise money for the defense of the West and he determined to have Americans pay a share of this cost. He figured that ten thousand soldiers were needed on the frontier and this number would call for an appropriation of £30,000. He counted on getting one-third of this sum from the Americans.

To make his program effective, Grenville called upon Parliament for the necessary legislation. Laws were passed to increase the authority of the customs officials, and to make smuggling more difficult. Powers of the admiralty courts—courts dealing with maritime cases—were increased and stricter regulations were imposed regarding the registration of merchant ships.

The first measure in Grenville's program was the revenue act of 1764, often referred to as the Sugar Act. This law reduced the import duty on French molasses from six pence to three pence per gallon; the difficulty was that the sixpenny duty had rarely been collected, so ordinarily it was not burdensome. The new duty would be collected; this was one of the purposes of the Grenville reforms. The net effect was to impose a new tax. The same measure imposed other import duties on coffee and on wine from the Azores, which hitherto had come in free. Then lumber and iron were added to the list of enumerated commodities. Cases arising under the law would be tried in the admiralty courts, without a jury. Then came the section which aroused bitter complaint. All duties under the law were to be paid in specie, rather than in colonial paper money.

Had Grenville been a statesman, he would undoubtedly have looked into that molasses trade which he was so ready to tax. In doing so, he would have discovered what every intelligent American merchant and many of the royal governors understood clearly: that the prosperity of the middle and northern colonies depended on this very trade in foreign molasses. The British islands could not begin to supply the demand. Their entire output was only slightly over 50 per cent of the quantity carried into Rhode Island alone, while all the colonies together used about eight times as much as the English islands produced. Moreover, the British sugar planters charged anywhere from 25 to 40 per cent higher prices than those charged in the French islands. The trade was too important to be treated carelessly.

If Grenville had pushed his investigations a little further, he would have learned that colonial authorities considered a threepenny tax too high. They

were convinced that a onepenny tax was all the trade could stand. As a matter of fact, in 1766, the English authorities admitted the soundness of the argument by reducing the tax to that figure. But Grenville's mind was not interested in any such subtleties of economics, so he learned none of these things before his measure became law.

After its enactment, he had the opportunity to learn a good deal. He found that the colonial merchants had deep convictions on the subject of colonial revenue. This fact in itself should have made him go slowly, because the merchants were not troublemakers. In general they had a keen appreciation of the benefits accruing to them from their membership in the British Empire. They knew that they were protected from foreign competition in the carrying trade by the first Navigation Act. This advantage alone was more than enough to outweigh the restrictive measures of the other Navigation Acts, especially since they could be easily evaded. Then, at a time when piracy was a factor in maritime activity, the merchants knew that they were enjoying the full benefits of protection by the British navy, without paying a penny for it. Incidentally, they knew that in their Mediterranean trade they were protected from the depredations of the Barbary corsairs by payments made by the British government. Finally, they had enjoyed a flourishing trade before the Seven Years' War, and the British conquests held out bright hopes for a steady increase in their commerce. While they were enjoying these benefits, serious protests from them really meant something.

American
Protests

The Sugar Act had no appreciable effect on the plantation colonies of the South but it called out strong protests from the merchants of the North. In New York the merchants met and appointed a committee to petition the Assembly asking that body to call upon Parliament for a repeal. Merchants in Philadelphia and Boston, in fact in all the commercial centers, were equally active. In the summer of 1764 some merchants in Boston signed an agreement to restrict the use of British cloth and to encourage the local textile industry, in an effort to bring pressure to bear upon the British.

The merchants aimed simply at reform, and they urged merely the repeal of the objectionable bill. The most famous protests were those written by James Otis of Massachusetts, the lawyer who had assisted the merchants in their campaign against the Writs of Assistance, by Stephen Hopkins of Rhode Island, a merchant deeply interested in the West Indian trade, and by John Dickinson of Philadelphia, a lawyer in close touch with the mercantile interests of that city. These critics of Grenville's plan tried to make plain the vital importance of the West Indian trade, with reference not only to the merchants and to the distillers, but to the farmers, who depended upon the West Indian market for the sale of their surplus products. In addition, James Otis characterized the new taxes imposed by Parliament as a violation of "natural law," and consequently null and void. Here again was a denial of the principle of British superiority.

Leadership of
the Merchants

It seems that the law brought hard times to the colonies. From Boston there were complaints that the number of vessels engaged in the West Indian trade had dropped to one-fifth of those in it the preceding year. The merchants generally agreed that business was bad, and getting worse. Similar complaints poured in from all the commercial colonies. Of course these have to be discounted to a certain extent, because it was desirable to make out against the law as good a case as possible, but with due allowance for this strategic factor the evidence points toward definite harm.

Along with the genuine, bona fide protests of the merchant class against the Grenville policy; there were to be seen numerous traces of those local contests described above. In Massachusetts, for example, the Otis group in the House of Representatives used the Sugar Act as an ordinary political issue to strengthen themselves and to weaken their opponents. There was so much of that sort of political maneuvering in the Bay Colony that it is impossible to draw any line between the larger and the smaller disputes. In this connection it is worth noting that the debate over the Sugar Act afforded the opportunity for another one of the conspicuous leaders of the Revolution to come into prominence. Samuel Adams drafted one of the protests against the measure, and as a reward the Boston voters put him into the House of Representatives.

Objections to the Grenville policy of reform and of taxation were widespread and they have survived in the letters and newspapers of that day. Feeling was strong but not violent and there was no indication anywhere that the empire itself was in danger. Probably it was not in danger at this time. Wisdom on the part of the British might have tempered Grenville's zeal for reform or perhaps have directed it into safer channels, so that radical leaders in America would have found no basis for an attack upon Britain. But further blunders like the Sugar Act might result in disaster.

The Rise of American Opposition

TRENDS TOWARD REVOLUTION

UNDETERRED by colonial protests against the Sugar Act, Grenville proceeded to carry out the other parts of his original plan. In 1764 he had announced that revenue measures in addition to the Sugar Act would be necessary, and he had suggested a series of stamp taxes. Before putting the measure before Parliament, however, he gave the colonial legislatures an opportunity to provide the desired revenue by other means. Since they took no action beyond registering further complaints, the Stamp Act was passed in March, 1765, to go into effect the following November. During its course through Parliament, this ill-fated measure attracted almost no attention. The debates were enlivened by no real protests against the measure itself, and outside of Parliament there were few premonitions of impending trouble. Not even William Pitt, who had the reputation of having been the friend of the colonies, paid any attention to the bill. To be sure, when it passed he was temporarily out of public life, being ill with gout; but he was constantly writing letters on all sorts of issues, and if he had been interested in the Stamp Act, he probably would have said so.

The Stamp
Act

There were others in London at the time who saw no great harm in the Stamp Act. Benjamin Franklin, for example, anticipated no trouble, and according to report he applied, in behalf of his son, for one of the positions as stamp distributor. In Virginia Richard Henry Lee did the same thing for himself, much to his embarrassment when colonial opposition broke loose. It required considerable explaining to tell why he was ready to serve in that capacity.

This new revenue measure provided for the levying of stamp duties on a variety of documents, such as ship clearance papers, licenses, deeds, bonds, and leases, and also upon playing cards, dice, newspapers, pamphlets, and advertisements. In one respect the Stamp Act resembled the Sugar Act: cases arising under the law would be tried in admiralty courts. The proceeds, so the law made clear, were to go toward the maintenance of English troops on the frontier. Thus the money raised would all be spent in America, and had the Proclamation of 1763 not set up a barrier to settlement it would have been spent for purposes beneficial to all the colonies interested in the West. In any case, the older colonies would profit from having the frontier

adequately guarded. Viewed simply as the answer to a problem in economics and in defense, the Stamp Act was not wholly unsound.

The American colonists were not prepared to consider the measure with complete objectivity. The merchants had already been stirred by the Sugar Act, while artisans and laborers were uneasy over the prevailing economic depression. Furthermore, the new measure bore heavily upon two groups, the printers and the lawyers, who were in a position to make their protests heard.

All that was needed was someone to give point to the feeling of resentment. The man who did it was Patrick Henry of Virginia, the hero of the Parsons' Cause. Although he was one of the newest members of the House of Burgesses, no sense of deference to the older legislators held him back. He had just discomfited them by stumbling upon and revealing some of their financial misdealing, and he was ready to upset them again. On May 29, 1765, in spite of the opposition of the conservatives, the House of Burgesses passed some resolutions which he had introduced. In the first four of these resolutions Henry declared that all British subjects in America were entitled to all the liberties and privileges of Englishmen and that one of the distinguishing characteristics of British freedom was the privilege of the citizen to participate, through his elected representatives, in levying taxes and making laws. In the fifth he declared that the general assembly of Virginia had the sole and exclusive right to tax the inhabitants, and that any attempt to vest such power elsewhere would have a tendency to destroy both British and American freedom. Next he argued that the inhabitants of Virginia were not obliged to obey any tax law unless the local legislature passed it. In the seventh and last he characterized as an enemy to his country any person who should proclaim the binding force of any tax law passed by any legislature outside the colony.

There is some question as to how many of these resolutions were passed. The Journal of the House lists only the first four as being adopted, while Henry himself wrote that the first five were passed. But the formal action of the legislature was not a matter of great importance. The newspapers printed all but the third as the Virginia Resolves, so Patrick Henry was hailed as the American leader who denied the authority of Parliament over the colonies. Evidently feeling ran high in the House of Burgesses on that memorable occasion. A French traveler happened to be present at the time and he reported "very hot Debates" over the Stamp Act. Some of the members, so he continued, "were for shewing their resentment to the highest."

In Massachusetts the first formal action came on June 8, when the House of Representatives sent out an appeal for a meeting of delegates from the various colonies at New York, for the purpose of formulating a united protest against the Stamp Act. The time suggested was the following October, the month before the Stamp Act was to go into effect. At the time appointed delegates from nine of the colonies met in the Stamp Act Congress in New

Patrick Henry

Protests in
Massachusetts

York, but weeks before that, plans were being worked out to defeat the measure by other means.

Inspired by the Virginia Resolves, the opponents of the Stamp Act in Massachusetts carried their theories into action. In that colony there were two riots, on August 14 and August 26, the first of which had the appearance of being, not the work of an irresponsible group of troublemakers, but a deliberately planned and carefully executed demonstration. "It is said," Governor Bernard wrote, "that there were 50 gentlemen actors in this Scene disguised with trousers and jackets on." As a result, the stamp distributor for Massachusetts, Andrew Oliver, was compelled to resign. On August 26 the mob broke loose again, this time with more appearance of spontaneity. After a number of minor depredations, they wound up with an attack on the home of Lieutenant-Governor Hutchinson, one of the most conspicuous of the conservative politicians in the province. After throwing everything portable out of the house, the mob smashed the windows and doors, leaving only the walls and the roof undamaged. Perhaps the most serious blow to Hutchinson was the loss of a large part of his invaluable collection of historical material. Leaving these papers out of account, the property damage alone was estimated at five thousand pounds sterling.

Violence in Massachusetts set the fashion for mobs in other cities. In New York the stamp distributor was a Scottish merchant by the name of James McEvers. Upon receipt of the news from Boston he handed in his resignation to Lieutenant-Governor Colden: "Since the Late Riott at Boston & the Inflammatory Papers lately printed in the Colonies, People of this City are so incens'd against me as a Distributor of Stamps for this Province that I find it will be Attended with the greatest Risque of my Person and Fortune, to Attempt & indeed impossible for me to execute the Office to Prevent the same Cruel Fate Mr. Oliver met with at Boston . . . from the Information I have had that if I Attempted it, my House would have been Pillag'd, my Person abused." In his excitement Mr. McEvers became confused in his sentences but not in his situation. Everywhere in the thirteen colonies the distributors resigned before November 1. Rioting broke out in such widely separated colonies as New York, Virginia, and North Carolina.

Opposition in
New York

On October 7, after a summer of political unrest, twenty-seven delegates from nine colonies met in the Stamp Act Congress at New York.¹ After spending nearly two weeks in deliberation the Congress adopted a declaration of rights and grievances, and in the course of the next few days petitions to the king, Lords, and Commons in England. In the declaration the Congress asserted that it was an "undoubted right of Englishmen, that no taxes be imposed on them but with their own consent, given personally or by their representatives." Then the delegates challenged the right of Parliament to tax the colonies: "The only representatives of the people of these colonies

The Stamp
Act Congress

¹ Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, South Carolina.

are persons chosen therein by themselves, and . . . no taxes ever have been or can be constitutionally imposed on them, but by their respective legislatures." Subsequently these resolutions were approved by those colonial assemblies which had sent no delegates to the Congress.

In their efforts to defeat the Stamp Act the leaders tried interesting experiments with new political organizations, the most important of which was the federated society known as the Sons of Liberty. The name seems to have been used first in Connecticut, whence it spread eastward to Boston and then west and south through New York to the Carolinas. The name had reference to those radicals who were opposing both the Stamp Act and the privileged classes in the colonies. In New York in January, 1766, the radicals launched a formal society of the same name. Its purpose was to prevent anyone from using the stamps. In February the New York Sons of Liberty appointed a committee to write to leading opponents of the Act in other parts of British North America, and they opened correspondence with all the colonies from New Hampshire to South Carolina. This step was soon followed by the logical suggestion of a Congress, representing all the Sons of Liberty, but before this enterprising plan could be carried out the repeal of the Stamp Act made further proceedings unnecessary.

In Boston the active opponents of the Stamp Act followed the example of their fellows in New York and organized a local branch of the Sons of Liberty. The most prominent members were a few merchants and businessmen, one of the publishers of the *Boston Gazette*, and some political leaders, of whom Samuel Adams was the most conspicuous. Of those who were known to be members of the Sons of Liberty, several were likewise prominent leaders in the Boston Caucus Club, the medium through which Samuel Adams did much of his work. In fact, the Boston Sons represented about the same group, using the new name merely because of a temporary advantage.

The underlying purpose of the Sons of Liberty was to fuse together into a single political organization all the opponents of the new British colonial policy. Had this been done, a powerful impetus could have been given not only toward common action, but toward colonial union. It takes time, however, to win support for any such great undertaking, and it required nine years' more work to achieve this aim. The First Continental Congress of 1774 actually did complete the process of organizing a colonial-wide political party of radicals, which the Sons of Liberty had first proposed.

In this work of staging demonstrations, organizing committees, and projecting colonial congresses, the immediate objective was the nullification of the Stamp Act itself, and this purpose the radicals attained. The distributors had been forced to resign before the measure went into effect; once these officials were out, there were few individuals who would run the risk of a mob attack by attempting to handle the stamps. By the early part of 1766 business was proceeding as usual without stamps in practically all the colo-

nies. Newspapers were published without stamps, customs officials issued clearance papers without them, and even lawyers and courts of justice transacted their business almost as though the law had never been passed.

During November and December, 1765, the leading merchants in America signed agreements to import no more goods from England until the Stamp Act should be repealed. Such a protest was effective in influencing English opinion because it was aimed straight at the pocketbooks of British merchants and manufacturers. When these influential Englishmen joined the Americans in demanding the repeal of the objectionable measure, action became inevitable. In Parliament, prominent members like William Pitt and Edmund Burke—who a few years later made the famous speech on conciliation—took the American side. Benjamin Franklin, who was then in England as agent for his colony, used his influence to help the cause of his country. On March 21, 1766, Parliament voted the repeal and the American victory seemed complete. The colonies had nullified a British-made law and had compelled the mother country to surrender. And, to add to the joy of the Americans, at the same time Parliament reduced the threepenny duty on molasses to one penny so that this tax was no longer a burden. News of the repeal of the Stamp Act reached the colonies in May, 1766. It was received with widespread, unrestrained, and perhaps indecorous enthusiasm. In the towns the shops were closed and there were public bonfires, salutes of heavy guns, dinner parties, and celebrations generally.

In their satisfaction over their victory the Americans hardly noticed another act of Parliament, passed on March 18, 1766, just three days before the repeal of the Stamp Act. This measure, the Declaratory Act, had the following sinister title: "An act for better securing the dependency of his Majesty's dominions in America upon the crown and Parliament of Great Britain." One paragraph of the Act asserted that "the said colonies and plantations in *America* have been, are, and of right ought to be, subordinate unto and dependent upon the imperial crown and parliament of Great Britain," and the king and Parliament "had, hath, and of right ought to have, full power and authority" to make laws "of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever."

Declaratory
Act

Here was a frank statement of the British attitude toward the legal side of the colonial problem, which may have been well founded back in the seventeenth century when the colonies were small. But the Americans who had just defeated the king and Parliament had no intention of acquiescing in this doctrine. They were not represented in Parliament, most of their leaders had no desire to be so represented, and any attempt by Parliament to make the Declaratory Act effective would certainly meet with determined resistance.

The contest between mother country and colonies furnished the occasion for talk of independence. The same French visitor who listened to debates

Talk of
Independence

in the House of Burgesses wrote: "this Country Can not be long subject to great Britain, nor Indeed to any Distant power, its extent is so great the Daily Increase of its Inhabitants So considerable, and haveing everything necessary within themselves for their Own Defence, that no Nation whatsoever seems beter Calculated for independency, and the Inhabitants are already Intirely Disposed thereto and talk of Nothing more than it." Even though the writer exaggerated the strength of the desire for separation from Britain, the desire had certainly been stimulated by the defeat of an unpopular act of Parliament.

If the contest over the Stamp Act had been the only episode of its kind the solidarity of the empire need not have been seriously threatened. England might have kept the colonies if she had let them have their way in legislation and taxation. This was the lesson of the Stamp Act, and British officials would have saved themselves vast trouble if they could have learned it. But the officials in England were still faced with the problem of raising additional revenue to meet the costs of civil and military administration in the recently acquired territories and along the frontier. Because Americans would be the first to profit from the development of these regions, it seemed logical to raise money for this purpose in America.

Townshend
Acts

In 1767, the year following the repeal of the Stamp Act, the Cabinet worked out a new and comprehensive program of taxation. From time to time the Americans had paid duties levied on commerce. Some of these, notably the tax on molasses, had aroused protest, but none of them had stirred up any such storm as that over the Stamp Act. The new Chancellor of the Exchequer, Charles Townshend, reasoned that additional external taxes, as he called them, might be made to produce considerable revenue. The Townshend Acts dealt with a number of important phases of colonial finance and administration. First there were new tariff duties, to be collected on paint, paper, glass, and tea. The revenue derived from these taxes was to be used primarily to pay the salaries of colonial judges, governors, and some other royal officials in the colonies, thereby freeing them from their dependence upon American legislative assemblies. Any surplus which might remain after the salaries were paid would be applied to the support of troops on the frontier.

The Townshend program also provided for a reorganization of the customs service in America. A new American Board of Customs Commissioners was created. From its headquarters in Boston the Board would have full charge of all customs business in North America, including the service in Bermuda and the Bahamas. To expedite the trial of smuggling cases courts of vice-admiralty were set up in Boston, Philadelphia, and Charleston. Townshend, therefore, provided the necessary administrative organization for the collection of the new taxes, and an adequate judicial system for the punishment of violators of the law.

Another important section of the Townshend program was punitive in

purpose. The New York Assembly had failed to comply with certain provisions of the Mutiny Act, which placed upon the colonial legislatures the obligation to furnish provisions and quarters for royal troops stationed in the colonies. One of Townshend's laws suspended the Assembly, that is, prohibited it from meeting, until the members would agree to vote the supplies required. In taking this action Parliament assumed a position of superiority over American legislatures which the Americans had hitherto refused to accept.

This program was considerably more ambitious than Grenville's, especially in the scheme for reforming colonial government. The aim of the Cabinet in making the attempt can be seen in any survey of American constitutional history up to that time. During the eighteenth century, and especially during the Seven Years' War, the legislatures had used their control of finance to assert their power over the executives, and as a result the governors had been humiliated in America and criticized in England. The power to vote or to withhold appropriations for carrying on the government was a weapon of the utmost importance. In trying to take this away, Townshend struck a blow at the very foundation of American autonomy, and thus brought upon himself and his program the hostility of practically all thoughtful leaders in the colonies. If he had his way, so they reasoned, not only would all their victories be nullified, but the very means by which they had won their successes would be lost.

Attack on
American
Liberty

As for the new taxes, there was no chance of collecting them without arousing another disturbance. The colonists were so well pleased at their victory over Grenville that they would not be halted by any mere metaphysical distinctions between external and internal taxation. By 1767 a parliamentary tax, external or internal, had become a nuisance. Incidentally it had also become a satisfactory issue by the use of which local leaders could increase their power. Therefore in this new controversy, as in the one preceding, the contest over English taxation was bound up with local political controversies in the colonies.

In their efforts to defeat the Townshend program, the colonial leaders planned to work through the commercial interests in England. By shutting off the use of British manufactures, either by non-consumption or by non-importation agreements, the Americans hoped to enlist the English merchants on the American side. Rather than suffer any serious diminution of trade, they might be expected to join in an insistent demand for a change in ministerial policy.

Non-
Importation

The first formal action seems to have been that taken by the Boston town meeting of October 28, 1767. At that time a form of agreement was adopted, by which the signers bound themselves not to purchase a long list of imported articles. As a part of the same program efforts were made to encourage local manufacturing.

The success of a self-denying policy of this kind depended upon the

hearty cooperation of all the other commercial colonies. If the Boston merchants should act alone, they would merely throw increased business to their competitors in Rhode Island or New York. In December, 1767, Providence adopted a non-consumption agreement, and Newport followed a little later. The other commercial centers were in no hurry to act.

In the spring of 1768 the Boston merchants agreed to a general non-importation plan, provided the merchants elsewhere would join with them, but the Philadelphians refused their consent. As a result, the plan for a general, intercolonial policy of non-importation had to be abandoned. It seemed for the time being that effective opposition would collapse.

In the meantime the Boston political leaders had the satisfaction of compelling the newly established Board of Customs Commissioners to leave town, and to take refuge in Castle William, down the harbor. Shortly after this disturbance word came that the ministry had decided to station troops in Boston, to exercise a restraining influence on the population there. If the Cabinet had been consciously working to create more ill-feeling than that already in existence, it could not have devised a more effective means than this. The idea of British troops in town was opposed by thousands, where the Townshend Acts had aroused perhaps a few hundred. The British officials thus played directly into the hands of the colonial leaders.

The first important result of this news was a revival of the non-importation policy. In August, 1768, the Boston merchants signed an unconditional agreement, binding themselves to import no British goods, with the exception of a few necessities, between January 1, 1769 and January 1, 1770. It appears that many of the signers were not merchants, but shopkeepers, and of the merchants who signed, reports were current that they had taken the precaution of stocking up beforehand with goods enough to carry them through the lean year. On October 1, 1768, the New York merchants adopted a non-importation agreement, while Philadelphia held off until March, 1769. But at last, by the fall of 1769, some sort of non-importation plan had been adopted, in every colony but New Hampshire.

It is at first sight rather surprising to find approval for a non-importation measure in Virginia, the leading plantation colony, in which the only merchants were English and Scotch agents. Their business had hardly been affected by the Townshend duties. And, as a matter of fact, the merchants had nothing to do with the project; the active leaders were George Washington, Patrick Henry, Richard Henry Lee, Thomas Jefferson, and Peyton Randolph. Under their direction, in May, 1769, members of the dissolved House of Burgesses adopted a non-importation agreement. It met with general approval, except among the merchants. The promoters of this non-importation movement in Virginia were the leaders of the newer political groups in the piedmont, men who for one reason or another were opposed to the older organization. Their economic interests had not been seriously affected by the Townshend Acts, and they would hardly have felt the new

taxes. It may be that they joined the commercial colonies in this form of protest simply because they disapproved of the principle of British taxation. It is also possible that in the Townshend Acts they found a political issue which they could turn to account.

In the commercial colonies recalcitrant merchants who refused to join in the non-importation movement were first blacklisted, then threatened, tarred and feathered, or even exiled. Some of the victims of this repressive policy complained of being illegally treated. These complaints were answered by Samuel Adams, in the *Boston Gazette*. Public opinion, he wrote, was against the importers. Merchants who were blind to this situation would do better to leave the colony. By resorting to mob action and to other forms of extra-legal activity the leaders effectively enforced their program. In Massachusetts, in 1769, English imports fell off nearly 50 per cent. In New York the agreement was well enforced, and imports from England were practically stopped. In Philadelphia the record was somewhat less satisfactory, but there is no doubt that commerce suffered.

American
Victory

The non-importation movement collapsed in 1770, when Parliament repealed all the Townshend taxes except the threepenny duty on tea. In many cases the struggle had meant heavy financial loss, and there was no object in continuing the prohibitory system, merely for one comparatively insignificant duty. New York and Philadelphia abandoned the plan first, and in October, 1770, the Bostonians put an end to their agreement.

AMERICAN RIGHTS

The campaign against the Townshend Acts was accompanied by both formal protests and by sharp statements defining American political theory. In the circular letter which he prepared for the House of Representatives in Massachusetts Samuel Adams proclaimed "that in all free states the constitution is fixed, and as the supreme legislative derives its power and authority from the constitution, it cannot overleap the bounds of it without destroying its own foundation . . . that it is an essential, unalterable right, in nature, engrafted into the British constitution, as a fundamental law, and even held sacred and irrevocable by the subjects within the realm, that what a man has honestly acquired is absolutely his own, which he may freely give, but cannot be taken from him without his consent." According to Adams the Americans looked upon the Townshend Acts as "infringements of their natural and constitutional rights."

American
Political
Theory

The constitutional doctrine of the circular letter was in direct contradiction to the principle of the Declaratory Act. If the Americans should choose to stand irrevocably upon one and the British upon the other, a clash was inevitable. Evidently Lord Hillsborough, Secretary of State for the Colonies, realized this danger when he ordered the House of Representatives in Massachusetts to rescind its vote for approving and transmitting the letter to

the other colonies. By a vote of 92 to 17 the House refused to follow his orders. Thereupon Governor Bernard declared the House dissolved.

The Farmer's
Letters

Among other famous protests against the alleged right of parliamentary taxation, those of John Dickinson, a young lawyer of Philadelphia, should be given a prominent place. Published in the *Pennsylvania Chronicle* under the heading "Letters from a Farmer," they constituted an impressive exposition of American constitutional theory. Dickinson was particularly vehement in attacking the British order which suspended the Assembly of New York. This colony, he wrote, had been punished "in a manner pernicious to American freedom, and justly alarming to all the colonies." If Parliament could order the indefinite suspension of an American legislature, Americans had no rights which were safe from British aggression. As for parliamentary taxation, Dickinson flatly denied the power of Parliament to levy any taxes whatever, external or internal, upon the Americans. Evidently Dickinson had never read the charter of his own colony on this point.

Then Dickinson denied the obligation to contribute anything toward the defense of the western territory. These regions, he argued, had been conquered by the British for the empire, not for the Americans. In fact, so he said, the acquisition of this western country was a positive injury to American interests. American property consisted largely of land, and the value of land along the seaboard would be adversely affected once the vast areas beyond the mountains were opened to settlement.

When Parliament repealed the Townshend duties Lord Hillsborough explained to the colonial governors that the Cabinet "entertained no design to propose or consent to the laying of any further taxes on America for the purpose of raising a revenue." This announcement was an abandonment, practically, of Grenville's policy of raising revenue in the colonies and also of the principle of the Declaratory Act. Hillsborough's purpose was to restore the situation which had existed before 1763. Unfortunately for Hillsborough's purpose, the controversy over taxation had generated forces which prevented any restoration of former conditions. By 1770 a group of radical leaders had come into power in the colonies, leaders who did not shrink at the suggestion of independence. They had risen to power by opposing British policy. Acceptance of Hillsborough's plan of reconciliation, therefore, would threaten their plans with ruin.

Conservatives
and Radicals

Between the end of the non-importation controversy in 1770 and the dispute over the Tea Act of 1773, there were two contradictory currents in the history of the colonies. The more conspicuous of these was the determined effort of the radical leaders to keep the Anglo-American dispute alive. The other was the effort made by the conservatives to restore good feeling, and to forget the unpleasantness which had been aroused by the Grenville and Townshend schemes of taxation. The impression that the contest with England moved steadily on from a definite beginning about 1760 to the

First Continental Congress, the Battle of Lexington, and the Declaration of Independence is true, so far as the radicals were concerned; it is not true in the case of the majority of the people.

The preceding contests had separated the radical from the conservative elements; hence by the end of 1770 the party alignment in the colonies had become fairly clear. In the commercial colonies the conservatives included some professional politicians, that is the royal officials and many other office-holders dependent upon them, nearly all the merchants, and a considerable portion of the rural population. The radicals included a few merchants, many lawyers, shipworkers and other artisans in the towns, certain newspaper publishers, and the advocates of independence. In 1770 the radicals seem to have been inferior in numbers to the conservative group, but they succeeded in making an impression inversely proportioned to their numerical strength.

Samuel Adams, who won the fame of bringing the dispute to a definite climax, was by temperament a crusader. The son of a politician, he was brought up in the midst of the political quarrels of the 1730's and 1740's and in early life he developed an active hatred of England. After graduating from Harvard he tried his hand first at the law, then at business, but his reputation does not rest upon achievement in these fields. In the meantime he entered politics by way of the Boston Caucus Club, the organization that controlled town meetings and managed elections. He held various offices in Boston, including that of tax collector. More and more he devoted himself to his one real interest: politics. In the controversy over the Sugar Act in 1764 he had taken such an important part that he was rewarded with a place in the House of Representatives, where he immediately became a leader.

Sam Adams

In New York the radicals included the unfranchised elements, with some prominent adherents from other classes, men who for one reason or another had fallen out with the ruling aristocracy in the colony. In Pennsylvania, as described above, the radicals were the workingmen in Philadelphia, with leaders sometimes picked from the upper classes, like Charles Thomson, and the dissatisfied farmers in the western counties. In Virginia they were the piedmont planters, such as George Washington and Thomas Jefferson, along with the lawyers who worked with them, like Patrick Henry. In general these Virginia radicals were men of larger property interests than many of their associates in the other colonies.

**American
Leaders**

These various groups of colonial leaders acquired a chronic suspicion of the British government, so that the mere repeal or moderation of tax laws failed to satisfy them. In fact, they felt the weight of the British imperial system so keenly that they would not think of reconciliation on the basis of the old order. When public opinion threatened to become quiet and indifferent, they kept it active and alert. Sometimes the absence of specific issues

hampered them seriously, but sometimes an occasional event would occur which made their work easier.

Boston
Massacre

One of these disturbances, which occurred shortly before the collapse of the non-importation movement, was the Boston Massacre of March 5, 1770. Late in the summer of 1768 British troops had been sent to Boston to uphold the authority of the new Board of Customs Commissioners. Their very presence was a grievance, and the radicals were always complaining because they were there. On account of these protests, the governor had the General Court meet in Cambridge instead of in Boston. For a year and a half the troops remained in town without arousing anything more serious than angry protests. Realizing the delicacy of the situation, the officers kept the privates under the strictest discipline. The Boston populace, on the other hand, was under no such restraint, and irrepressible individuals amused themselves by trying to find out how much abuse the redcoats would stand.

On March 2, 1770, some of the Boston ropemakers provoked an altercation with the soldiers on guard, and the resulting dispute developed into a kind of running skirmish, lasting off and on for three days. On the evening of March 5 a much larger crowd gathered, and the altercation quickly became serious. Led by a Negro sailor, Crispus Attucks by name, part of the crowd set upon one of the sentries and handled him so roughly that he called for help. Captain Preston came out with a corporal's guard but the mob became even more threatening. Suddenly one of the soldiers fired into the crowd, and then in the excitement, seven others followed. The result was five men killed and six wounded.

Instantly the whole town was in an uproar. The danger of a wholesale attack on the troops was so serious that responsible citizens went on guard duty to prevent a small-scale war. Samuel Adams insistently demanded that the redcoats be sent out of town. After a series of dramatic interviews between him and Governor Hutchinson, the governor ordered both regiments down to the castle.

In considering the question of responsibility for the massacre, it is well to consider the facts in connection with subsequent judicial proceedings. Captain Preston and his seven privates were placed on trial for murder, in a local Massachusetts court, before a local jury, in a community roused to fury over the casualties of the evening of March 5. Their lawyers were two prominent young radicals, Josiah Quincy and John Adams. It would be difficult to imagine a situation more unfavorable for the defendants. And yet in spite of these factors working against them, Captain Preston and five of the privates were entirely acquitted, while the other two were convicted of manslaughter and let off with a merely nominal penalty. The evidence produced in court, in spite of the efforts of the prosecution and the desire of the jury to convict, placed the responsibility upon Crispus Attucks, one of the victims, and upon the Boston mob.

Another incident which served to inflame opinion was the burning of the *Gaspee* in 1772. The *Gaspee* was a vessel of the royal navy, employed off the Rhode Island coast in enforcing the trade laws. Lieutenant Dudingston, in command, stopped and searched all vessels entering Narragansett Bay. According to the charges of the merchants, he seized vessels on insufficient evidence. Be that as it may, he was probably the most hated man anywhere within reach of Rhode Island. On June 9 the *Gaspee* ran aground a few miles from Providence. At night eight boats put out from the town, full of armed men. They reached the *Gaspee* before daybreak, boarded her, and took possession. They made a prisoner of Dudingston himself, who had been wounded in the encounter, and then set the crew ashore. These formalities completed, they burned the *Gaspee* to the water's edge. The British government appointed a special commission to investigate the affair, but in spite of the fact that almost everybody in Providence knew who the guilty parties were, not a man could be convicted, and no one was ever punished.

Burning the
"Gaspee"

At about the same time, in Massachusetts, a dispute was started over the plan of the British government to pay salaries of the judges and other officials out of the royal treasury. The radicals vigorously opposed this policy; they realized that if it should be generally adopted, the local legislatures would lose the means of influencing royal governors.

The three years following the collapse of the non-importation movement were years of unusual economic prosperity and under such conditions political activities appreciably waned. The merchants found business good, and they were especially eager to make up the time lost during the Townshend disputes. Moreover, the conservative classes generally looked with something akin to horror at the steady development of radicalism among the unprivileged classes. To their minds the danger of mob control, or even a government managed by the "lower" classes had become a genuine menace, to be combatted at all costs. Prominent officials wrote gravely of the spread of "levelling principles," or of the growing importance of the "lower sort of people." As one of them put it, a gentleman no longer met "what used to be called common civility." Among the merchants this sort of thing began to take the place of complaints against the policies of the British government.

Conservative
Reaction

The repeal of the Stamp Act and the Townshend duties had removed any fears the merchants may have had about British policy, and they had been delighted when the import duty on molasses was reduced to a penny a gallon. The threepenny duty on tea still remained, but for the three years preceding the famous "Tea Party" there was little complaint against it. In brief, the British government had gone about ninety per cent of the distance in arranging a satisfactory settlement and the conservatives were well pleased, both with prevailing conditions and with the outlook for the future. Under these circumstances, beginning with the fall of 1770, a pronounced conservative reaction set in. One manifestation of it has already been mentioned, namely the collapse of the non-importation movement.

The merchants had become restive under Adams's leadership even before they repudiated him; when they saw their chance they dropped him entirely.

John Rowe

This reversion to a more conservative course is delightfully portrayed in the case of John Rowe, whose diary records his own growing sense of the dangers of radicalism. Rowe was a substantial Boston merchant, with an interest in politics, a fondness for fishing, and a love of social festivities. Inclined to be cosmopolitan in his associates and friendships, he was in close touch with everybody from Governor Hutchinson to Samuel Adams. As a result there was not a better informed man in all New England. He had been one of the most active leaders in the non-importation movement, but as it became more violent he became alarmed. The leaders could continue to place him on their committee of enforcement, but they could not prevent him from going fishing on the days of their most important meetings. His change of attitude in this issue was typical of many of his class.

In his accounts of the social gatherings, Rowe showed how the spirit of the times had become more genial. He found a general desire to forget the dispute with England, and if he and those like him had their way, cordial relations would have been restored. In June, 1770, for example, Rowe and a group of prominent Bostonians spent the evening at "Province House," drinking the king's health. "A great many gentlemen attended this Public Mark of Loyalty to his majesty & Family," something which could not have been done a year earlier.

Again, on January 18, 1771, the queen's birthday, Rowe spent the evening at a very elaborate celebration, with "a very grand assembly," including the governor, lieutenant-governor, the officers of the royal army and navy, in fact as he put it, "all the best people in town a general coalition so that harmony, peace, & friendship will once more be established in Boston." Rowe's satisfaction at the bright prospect of restored good feeling was more than clear.

Political
Conservatism

If this turn had been confined merely to social affairs, it would have had little historical significance, but it was manifested in other directions. In the council, or upper house in the General Court, a number of members began to work with the governor, something they had not done since 1765. Prominent politicians were deserting the radicals and going over to the other side.

The same break in radical forces was soon revealed in the very stronghold of the radicals, the House of Representatives. In the fall of 1770, Samuel Adams and his party met defeat for the first time in more than four years. Then in the elections of 1771 the conservatives secured a majority. It really appeared for a time as though the whole dispute were over. Adams's party split into fragments and some of his most active supporters either dropped temporarily out of politics as John Adams did, or went over to the conservative side, after the manner of John Hancock. The latter was peculiarly successful in keeping himself in the front rank of the dominant group; in 1773

he was again working with Samuel Adams. In New York, the years from 1770 to 1773 were exceptionally quiet and peaceful. The lower classes were prosperous and contented, the Sons of Liberty were no longer heard of, and relations with England had never been more cordial. There, as in Massachusetts, the dispute seemed to be over. Similar conditions prevailed in the other colonies.

The radical politicians, however, were not inclined to accept defeat gracefully. Instead of welcoming the conservative reaction, they set themselves to check it and to restore the condition of tense excitement and bitterness which had characterized the period before 1770. To Samuel Adams, for example, the re-establishment of good feeling was an unmixed calamity. After it started he spent the busiest three years of his life in an effort to combat it, and the war that came was a tribute to his success. The brighter the conservative prospects appeared, the more vigorously he worked. By means of newspaper articles, political campaigning, and direct personal appeals, he sought to bring back the heated emotions of Stamp Act times. After the manner of revolutionists he found it necessary to use the method of exaggeration. He regularly told his contemporaries that they were slaves, and that the government under which they lived was an absolute despotism. His purpose was to inspire others with his own bitter hatred of Great Britain, and to urge them on toward independence.

Samuel
Adams

In this campaign Adams was most successful. Signs of renewed unrest were becoming visible in all directions. But propaganda alone is never enough to bring on revolution. What is needed to complete the process is an organization. The leaders must have something by means of which they can guide and direct the opinion they have created into the proper channels. Adams realized this need of organization, and by September, 1771, he was considering plans for it. He aimed at a system of committees in all the colonies, so tied together by common aims and leadership that they could operate as a single unit. The Sons of Liberty had been working in that direction in 1766, when the repeal of the Stamp Act made further efforts unnecessary.

After discussing the project at length with his friends, Adams picked the fall of 1772 as a fitting time to carry his plan into effect. Thanks to his influence in the Caucus Club, he was able to have a special town meeting called, in spite of the vigorous opposition of two of his former colleagues, John Hancock and Thomas Cushing. There he proposed the appointment of a committee of correspondence to keep in touch with similar committees to be appointed in other towns. At a second meeting held a few days later, the committee was appointed. The next step was to induce the leading towns in the province to follow suit, and by July, 1773, almost every town in Massachusetts had its committee of correspondence. By this means the radical leaders in Massachusetts created a political party devoted to the cause of establishing American rights on a satisfactory basis. Accounts of this activity

Committees
of Cor-
respondence

were duly reported to radicals elsewhere, particularly to Richard Henry Lee of Virginia.

In March, 1773, under the leadership of Patrick Henry and Richard Henry Lee, the House of Burgesses of Virginia appointed a committee to correspond with other American legislatures. Within the next twelve months eleven of the thirteen colonies—all but Pennsylvania and North Carolina—had legislative committees of correspondence at work. By this means the framework of a radical organization was enlarged to include most of the colonies.

Plans for a
Congress

In order to consolidate this new political party the leaders began to talk about an intercolonial convention, similar to the Stamp Act Congress. Writing in April, 1773, Thomas Cushing of Massachusetts reported to Arthur Lee of Virginia, then in London: "Some imagine if the colonies are not soon relieved, a congress will grow out of this measure." And in the following October, 1773, Governor Hutchinson of Massachusetts wrote of his radical opponents: "They give out openly that they must have another Convention of all the Colonies."

During the short period from the spring of 1770 to the spring of 1773, no one could tell which of the two currents in American thought and opinion, radical or conservative, would prevail. Samuel Adams in Massachusetts, John Morin Scott in New York, Richard Henry Lee in Virginia, and Christopher Gadsden, one of Adams's friends in South Carolina, were all vigorously at work on the radical side; on the other were many less conspicuous but wealthy and influential leaders, including many merchants. As we look back on the situation, it is easy to see that Adams and his associates were aided by a growing conviction in the minds of the rank and file of the Americans that they no longer needed the help of the British government, that it had been too often a nuisance, and that they would like to try the experiment of getting along without it. They were therefore allied with the stronger cause.

The Break with Great Britain

 APPROACH OF THE CRISIS

IN THE course of the year and a half between the latter part of 1773 and the first part of 1775 the debate over colonial rights suddenly came to an end. It was followed by the war for American independence. It is easy to trace the actual events in this transition from words to arms; they are a matter of record. It is not so easy to tell precisely why discussion stopped and fighting began. The American Revolution has been explained in terms of one formula after another, no one of which is entirely satisfactory. There was the formula of British oppression; George III and Lord North met this argument with the charge of contumacious defiance on the part of the Americans. Advocates of the economic interpretation of history have applied their formula and so too have the advocates of geographic determinism. The late Professor Cheyney found the cause in the inexorable laws of history. Other writers have put the emphasis on propaganda or on the type of political leadership. All of these theories have some measures of truth but not one of them will stand alone. So far the discussion has not produced any single statement comprehensive enough to explain adequately just why the Revolution came when and as it did.

What
Caused the
Revolution?

The course of events leading to the crisis is clearly marked, but each event has to be examined in connection with a complex tangle of previous historical developments. First came Lord North's Tea Act of 1773, followed by the act of defiance in Massachusetts known as the Boston Tea Party. Parliament answered with the Coercive or Intolerable Acts, of which the Boston Port Act was the most drastic. This measure aroused widespread antagonism against British authority and enabled American leaders to bring together the First Continental Congress. Following the Congress tension in Anglo-American relations became serious; war started on April 19, 1775. The direct challenge to British authority, the destruction of the tea, was an act of Bostonians. The Boston Port Act applied only to Boston. The war itself began near Boston. For these obvious reasons the activity of political leaders in and around Boston needs to be examined with particular care. Possibly the climax in Anglo-American relations might have occurred in any one of a number of colonies; actually it occurred in one. Simple as this point is, it has sometimes been overlooked.

The establishment of the committees of correspondence encouraged politi-

cal discussion and facilitated the exchange of views. Leaders in this work were determined to uphold American rights and they were always on the watch for any sign of new violations of these rights by the British. In case of such violation, the leaders were in a position to arouse widespread protest. Against this dynamic organization the conservative reaction seemed to make no headway. Any false move on the part of the British would play into the hands of the radicals and give them additional strength.

The Tea Act

At this particular time the members of the British Cabinet were more immediately concerned over problems in India than over the situation in North America. The East India Company was close to financial ruin. In an effort to help it Lord North had Parliament pass a law under which the British government itself acquired more power in Indian affairs. As part of his program for the reorganization of India, Lord North tried to give the East India Company a more profitable market for its tea. The company's warehouses were heavily stocked with the commodity, having some seventeen million pounds in all. If a substantial portion of the amount on hand could be turned into cash, the company might be saved from bankruptcy. Out of this situation came the Tea Act of 1773; passed without evil intent toward the North American colonies, it had important and unforeseen repercussions there.

The Tea Act gave the East India Company itself the right to export tea directly to the colonies and to establish branch offices there, thus giving it a monopoly of the tea business in America. Hitherto it had been required by law to sell to English merchants, who in turn sold to American importers. The new law therefore eliminated both the English and the American wholesale dealers, two sets of middlemen. The American consumer would henceforth pay only two profits, one to the local shopkeeper, and the other directly to the East India Company. In addition, the company received back from the Treasury the tariff duties paid when the tea was imported into England. The only tax which the Americans would pay therefore was the threepenny duty imposed by the Townshend Acts of 1767, and continued in force when the other taxes were repealed.

Taxation:
Theory and
Practice

These were the chief provisions of the law. There is an old, popular legend to the effect that George III and his advisers favored the measure because it afforded an excellent opportunity for trying the question with America. This statement was probably not the king's. He did, however, wish to continue some form of parliamentary taxation, merely to uphold the principle of the Declaratory Act. Writing to Lord North some time after he received word of colonial protests against the Tea Act, the king declared: "I am clear there must always be one tax to keep up the right, and as such I approve of the Tea Duty." In any case there was no need of trying the question. The chief complaints against the threepenny duty had come during the non-importation movements. After they ended, as they did in 1770, merchants in several of the colonies imported tea regularly and paid the

duty without recorded protest. In Massachusetts, between the fall of 1770 and the reception of the news of the Tea Act in 1773, there is no evidence of substantial complaint against the tea duty. Incidentally, the merchants were paying, likewise without protest, the onepenny duty on molasses. As for the tea imports, from 1770 to 1773 inclusive, Boston took in 540,956 pounds, and as late as September, 1773, John Hancock himself imported and paid the duty on over 111,000 pounds, nearly half as much as that destroyed in the famous "Tea Party." New York and Philadelphia, to be sure, preferred to smuggle theirs from Holland and did so. But enough tea came in through the customhouse so that the government was not dependent upon subterfuge to inveigle the Americans into paying the tax.

Had North's measure been passed at any time before 1760, it might have attracted little attention. But in 1773 conditions were different; the people were keyed up to a high pitch of excitement. Under these circumstances it was easy to represent the Tea Act as a serious grievance, to be ranked in a class with the Stamp Act of evil memory. In the commercial colonies generally the basis of protest was the monopoly of the tea trade given to the East India Company. In Massachusetts the radical politicians made an issue of the threepenny tax; the leader in this campaign was Samuel Adams.

For some time before 1773 Samuel Adams had been acquiring a clear-cut philosophy of the colonial problem. He believed that the colonial legislature was supreme in its own field, that is, in all matters of legislation and taxation pertaining to the colony. Such being the case, Parliament had no right to pass laws or to levy taxes for the colonies. This theory was the center of the talk about "no taxation without representation." It was not so much because the Americans were not represented in Parliament that they had complained about the various schemes of taxation, but because these had been imposed by a body other than the local assembly.

Taxation
Without Rep-
resentation

Inspired by this feeling, Samuel Adams made up his mind that colonial rights must be put upon a solid, permanent basis. Just how to achieve this objective he had not decided. He could arouse in others the same state of mind for which he himself was noted, but it takes more than political emotionalism to arouse a people to rebellion. There was, of course, the possibility that rebellion would not be necessary. That is, if the British government could be caught in such a predicament that it would pay any price in return for help, the *quid pro quo* might be made the formal guarantee of American rights, that is, complete, absolute, legislative autonomy.

In the summer of 1773 the opportunity came. Adams received a letter from Arthur Lee, acting then as agent for some of the colonies in England, to the effect that another general European war was imminent, and that the situation might well be used to compel the English government to grant the demands of the American radicals. Adams knew enough English history to appreciate the value of the suggestion. It was exactly by this means, taking advantage of royal need, that Parliament had won its early victories over

the king. Adams hoped to force the British authorities to relinquish their assumed right to tax the colonies, in return for American help in this prospective war. Then the colonies could demand and get the guarantees they desired.

**The Radical
Plan**

The Massachusetts legislative committee of correspondence was summoned, to consider and to agree upon action concerning any requisitions that might be made in case of war. Adams himself wrote the call for the meeting, and his letter shows how Lee's rumor had occupied his mind. He urged the radicals to withhold all help until their rights were firmly established. Along with this were openly discussed plans for a congress to take charge of the American case. And while Adams was urging all interested parties to present a united front to England, he also insisted upon the necessity of avoiding any settlement based upon compromise.

On November 3, 1773, the following placard or broadside was posted at almost every street corner in Boston:

To the Freemen of this and the Neighboring Towns Greet^d. You are desired to meet at Liberty Tree this day at Twelve of Clock at Noon then and there to hear the Persons to whom the Tea shipped by the East India Company is consigned make a publick Resignation of their office as consignees upon Oath and also Swear that they will Reship any Tea that may be Consigned to them by said Company by the first vessell Sailing for London.

The consignees, however, were stubborn and they refused to resign. Thereupon the radicals voted that the tea should not be landed. On November 9, Samuel Adams wrote to Arthur Lee: "One cannot foresee events; but from all the observation I am able to make, my next letter will not be upon a trifling subject."

**The Boston
Tea Party**

Shortly before the tea arrived the consignees proposed a compromise plan, whereby the offending commodity might be landed and stored, under guard of a town committee, until they could get orders from the company. This proposal the radicals rejected because it would involve payment of what Adams called "the tribute." On November 28 the tea ships arrived. The radicals refused to permit the cargoes to be landed, and Governor Hutchinson—whose sons were among the consignees—refused to permit the ships to clear for the return trip. By so doing he played directly into Adams's hands. The deadlock continued until December 16, when under the law the customs officials would be obliged to seize and land the tea, for non-payment of duty. At this point men disguised as Indians boarded the vessels and dumped the tea into the harbor.

Although the merchants resented that provision of the Tea Act which granted a monopoly to the East India Company, it is probable that they would not have arranged for the "Tea Party." Samuel Adams seems to have been largely responsible for it. Certainly the objectionable cargoes were handled with less violence in other commercial centers. Even if Hutchin-

son's stubbornness prevented the consignees from letting it go back to England, as New York and Philadelphia consignees did, it might have been stored as it was in Charleston—not in damp cellars, but in warehouses. In 1776 the Charleston tea was auctioned off for the benefit of the Revolutionary government. Because of the less extreme methods used in those other commercial centers, there were no coercive acts for them.

Samuel Adams and his associates looked upon the destruction of the tea as a brilliant victory over the British, but not all Americans joined with him in his exultation. Benjamin Franklin, then serving as agent for the Massachusetts House of Representatives in England, wrote:

Attitude of
Conservatives

I am truly concern'd as I believe all considerate Men are with you, that there should seem to any a Necessity for carrying Matters to such Extremity, as, in a Dispute about Publick Rights, to destroy private Property. . . . I cannot but wish & hope that before any compulsive Measures are thought of here, our General Court will have shewn a Disposition to repair the Damage and made Compensation to the Company.

Many of the Boston merchants were inclined to agree with Franklin rather than with Adams. The conservative property owners and importers had no wish to see a revival of the mob spirit of 1765 nor could they see any gain in provoking British authorities into making drastic reprisals. Since 1770 the British had been moderate and conciliatory and the conservatives were prepared to cooperate with them. As for the British Cabinet officials, they were placed in an uncomfortable situation. The "Tea Party" was a spectacular challenge to them and they knew it, as did everybody else. Under the circumstances they were compelled either to resort to an ignominious surrender or to use force at a time when the radicals in Massachusetts were flushed with excitement and pride at the success of their demonstration.

North's first response was crushing. This was the Boston Port Act, passed upon receipt of news that the tea had been destroyed, to go into effect in June, 1774. It provided for the transfer of both the capital and the customhouse from Boston to Salem, and prohibited all commercial navigation of any sort in Boston harbor. The port would be reopened when the town made arrangements to pay the East India Company for the tea which had been destroyed; the value was fixed at approximately £15,000. So intense was the feeling against Massachusetts that members of the House of Commons who had hitherto been most outspoken in defense of the colonies voted for the bill.

Boston Port
Act

Next on the program of retribution was the Act for the Impartial Administration of Justice, providing for the trial of civil and military officials for capital offenses. The purpose here was to protect British officials who might become involved in difficulties while engaged in the performance of their duties. In such cases, where a fair trial could not be secured in the

Other
Coercive Acts

colony, the defendants might be tried in England. Another part of the program was a new Quartering Act, providing that where the regular barracks were not close enough to the place where troops were needed, the colony must provide quarters at the proper place. Still another measure made important changes in the system of government for Massachusetts. Henceforth the council was to be appointed by the king, according to the practice in all other royal colonies; it will be recalled that the charter of 1691 had given the General Court power to elect the councilors. Next the Massachusetts Government Act provided that in the future, jurors would be chosen by the sheriffs. Most important of all, the Government Act prohibited all town meetings, except one each year for the election of town officers, without the permission of the governor. In connection with this policy of coercion, Governor Hutchinson was removed from office and the place was given to General Thomas Gage.

One more measure adopted by Parliament in this same busy year of 1774, habitually but mistakenly grouped with the Coercive Acts, was the Quebec Act. It had nothing to do with North's plan for bringing the Bostonians to terms. On the contrary, its purpose was to remedy certain defects in the Proclamation of 1763. The boundaries of Quebec were extended to the Ohio River, with the proviso that no rights previously granted were to be affected by the change. This, of course, automatically removed the prohibition against settlement in the region, but at the same time it placed the territory under Canadian control. Here is to be found one basis of American resentment against the law. The measure guaranteed to the French Catholic subjects the right to worship as they pleased and arranged for the trial of civil cases in accordance with the principles of French rather than English law. With reference to government, there was to be a royal council, but no elective assembly. Here were additional grounds of complaint. Extreme Protestants objected to any sign of toleration for Roman Catholics, while the provision for law-making was regarded as tyrannical.

Effect of the
Port Act

If Parliament had purposely planned to drive the colonies out of the empire, it could have found no better instrument than the Boston Port Act. The law spelled ruin for the second largest port in North America. The shipyards, ropewalks, docks, and warehouses would become nothing but historical curiosities. If Parliament could legislate people out of their living in such wholesale fashion, American rights were a mere fiction. Hitherto there had been room for doubt as to the wisdom of carrying opposition to England to extremes. After the Port Act much of this doubt disappeared. There was still a large conservative group opposed to violent resistance but these moderates were never influential enough to overcome the growing opposition to Britain.

THE FIRST CONTINENTAL CONGRESS

In laying their plans to secure independence, the Massachusetts radicals needed a compelling issue on the strength of which they could appeal to the other colonies for help. The issue was furnished by Lord North, in his coercive policy; this was severe enough to create intense feeling. Then the American leaders worked for the adoption of an all-inclusive non-intercourse agreement, something so complete and far-reaching that all trade with Great Britain, both import and export, could be stopped. This was the germ of the Continental Association. With this end in mind, the Massachusetts committee of correspondence proceeded to lay the proposal before legislative leaders in other colonies. Realizing the desirability of haste, so that action might be taken before popular animosity should have a chance to cool, Samuel Adams expressed the hope that non-importation agreements might be made at once, without waiting for a congress. A silversmith of Boston, Paul Revere, carried the letters to New York and Philadelphia.

Political leaders in the other colonies were quick to realize the dangerous implications in Lord North's coercive program, but at the time they were not prepared to adopt a general non-importation policy. Most of them were agreed that the situation called for a clear statement of American rights and for action to uphold these rights. Thus, instead of urging a non-importation policy upon their respective legislatures, as Adams had requested them to do, they advocated an American congress. At the start, therefore, there was difference of opinion as to the best method of getting results, but there was widespread agreement on the necessity of making common cause with Massachusetts. A convention at Philadelphia resolved that the Boston Port Act was "unconstitutional, oppressive to the inhabitants of that town, [and] dangerous to the liberties of the British colonies. . . ." The same convention declared that Boston was "suffering in the common cause of America." These Pennsylvanians advocated a congress of all the colonies. In the meantime they appointed a committee to collect money for the relief of suffering Bostonians.

Need for
United Action

In New York a similar gathering adopted similar resolutions. This body declared that any attempt to invade the liberties of one colony "is immediately an attack upon the liberties and constitution of all the British colonies." They characterized the Port Act as "highly unconstitutional, and subversive of the commercial rights of the inhabitants of this continent." The New York group favored a congress and advocated a non-importation agreement. A meeting in Virginia took substantially the same action. These various gatherings made it clear that in attempting to punish the Bostonians Lord North had given a powerful impetus to the cause of colonial union against British authority.

During the summer of 1774 various groups in the twelve colonies from New Hampshire to South Carolina appointed delegates to the proposed

Plans for a
Congress

congress. Georgia took no action and was not represented. Because the project itself was irregular, if not extra-legal, there was no uniformity in the method of selecting the representatives. In one case—that of Rhode Island—the appointment was made legally and officially by the whole legislature; in some others the elective branch acted alone. In still other cases county committees made the selection.

To a certain extent the purposes of the promoters of the Congress were revealed in the instructions which they drew up for the delegates. In the majority of cases the delegates were ordered to obtain redress of American grievances and to establish American rights on a secure, permanent footing. Four of the colonies, New Hampshire, Massachusetts, Pennsylvania, and Virginia, expressly told their representatives to work for the restoration of harmony and good will in their relations with England. In only two cases, Maryland and Virginia, was there any direct reference to the primary purpose of the Congress, that of working out a non-importation agreement. Some of the delegates came with full power to act, some were authorized merely to consult and advise with the other delegates, while those from New York and New Jersey came with no formal powers whatever.

The
Delegates Get
Acquainted

The Congress was scheduled to begin its sessions on September 5, 1774, at Philadelphia. Many of the delegates had never been outside their own respective colonies before this time; for them the journey was a thrilling adventure. By September 1, twenty-five delegates had arrived at Philadelphia, and they all had dinner together. On the next day the Virginians came in. Adams wrote that they "appear to be the most spirited and consistent of any." Two days later Adams dined with Mr. Joseph Reed, the lawyer, and a party of several delegates. He spent the evening at Mr. Mifflin's, also with other delegates; "an elegant supper, and we drank sentiments till eleven o'clock." After the formal sessions began, Adams continued to dine out; Mr. and Mrs. Fisher "provided us the most costly entertainment; ducks, hams, chickens, beef, pig, tarts, creams, custards, jellies, fools, trifles, floating islands, beer, porter, punch, wine, and a long &c." And the very next day Adams reported "a most sinful feast again! everything which could delight the eye or allure the taste; curds and creams, jellies, sweetmeats of various sorts, twenty sorts of tarts, fools, trifles, floating islands, whipped sillabubs, &c. &c. Parmesan cheese, punch, wine, porter, beer, &c." One of the delegates from Connecticut, Silas Deane, wrote to his wife that he was "engaged to dine out every day this week." After three weeks of it John Adams wrote in desperation: "I shall be killed with kindness in this place."

These brief excerpts from the records do not sound much like the early stages of revolution. Nevertheless, the round of dinners should not be ignored. Most of the delegates were strangers to each other and they needed to get acquainted. Furthermore, they had to reconcile local differences and overcome local jealousies. These necessary preliminaries were conducted

under the most favorable auspices in the comfortable homes of wealthy Philadelphians.

When the Congress opened there were two distinct factions among the delegates, one radical, and one conservative. The radicals wanted independence; the others were looking for the continuance of the colonial status, but under new and adequate guarantees of American rights. Although the two groups were almost equal in numerical strength, from the very beginning the radicals had a slight advantage. They selected the meeting place and they chose the secretary, Charles Thomson, a Philadelphia radical who had failed to secure an election as delegate.

Radicals in
Charge

The aim of the Massachusetts leaders, Samuel Adams, John Adams, Elbridge Gerry, and Robert Treat Paine, was to win the Congress over to an approval of the Boston plan of non-intercourse. They were actively supported in this policy by the Virginians and by Christopher Gadsden of South Carolina. But the Bostonians encountered opposition because of their extreme radicalism, and they had to proceed with unusual care. John Adams has left an interesting account of their methods. "We have had numberless prejudices to remove here. We have been obliged to keep ourselves out of sight, and to feel pulses and sound depths, to insinuate our sentiments, designs, and desires by means of other persons, sometimes of one province, sometimes of another." A conservative member from Maryland put the situation somewhat more bluntly. "Adams with his crew, and the haughty sultans of the South, juggled the whole conclave of the delegates."

One of the first acts of the Congress was the unanimous approval of a stirring set of resolutions on American rights, known as the "Suffolk Resolves." This declaration had been drawn up in Boston under the supervision of Dr. Joseph Warren. Paul Revere carried the document to the Continental Congress. Its formal approval there transformed it from a mere expression of local opinion into an American political creed. After denouncing the recent acts of Parliament as an "unparalleled usurpation of unconstitutional power," the Resolves urged that they be rejected "as the attempt of a wicked administration to enslave America." Then the Resolves advised the people to meet for military training at least once a week and announced that they would act on the defensive "so long as such conduct may be vindicated by reason and the principles of self-preservation, but no longer."

Suffolk
Resolves

Further proof of radicalism was afforded by the defeat of the only constructive suggestion made by the conservative leaders. Joseph Galloway, a prominent lawyer of Philadelphia, proposed to safeguard American rights by means of a new basis of imperial union. His plan called for the continuation of the existing colonial governments for all local matters. For problems affecting two or more colonies, however, he proposed a chief executive to be appointed by the king, and a legislative council with members to be chosen by the various colonial assemblies. This body would act in all matters in which Great Britain and the colonies, or the colonies as a whole,

Galloway's
Plan

or any two or more colonies might be interested. So far in its main outlines the Galloway Plan was similar to the Albany Plan of 1754. But there was a unique feature in Galloway's proposal which stamps him as something of a genius. The Grand Council was to have the standing of a branch of Parliament. Measures pertaining to the colonies might originate either in Parliament or in the council, and the approval of both bodies was necessary before an act could become effective.

Galloway's proposal had certain obvious advantages: it provided for the badly needed central authority, but at the same time it preserved the colonial legislatures; under the proposed arrangement Parliament would have little chance to impose an unsatisfactory law upon the colonies. The Congress set apart a day for discussing the plan and then after discussion defeated it, by the vote of a single colony. The radicals immediately expunged from the records every reference to the Galloway Plan, so the official *Journal* contains not a single hint even that such a measure had been under consideration.

The third major action in the proceedings of Congress was the adoption of the Continental Association. This recommended that after December 1, 1774, all imports of British goods should cease, and that with few exceptions, there be no more purchases from Great Britain. Then after September 10, 1775, all exports to England and to the West Indies were to be shut off. That the Association might be enforced, the Congress advised every county, city, and town throughout the colonies to appoint committees, with authority to blacklist all those who refused to comply with the Association. Then on October 14 the Congress approved a statement of American rights: the "Declaration and Resolve." The Congress sent letters to the people of Quebec, to the people of Great Britain, and to the officials in England. Taken together the state papers prepared by this First Continental Congress are an excellent exposition of the American theory of government.

Although some of the delegates brought with them instructions to restore normal relations between the colonies and England, the adoption of the Suffolk Resolves might have been interpreted as a threat of war. It is difficult to determine how far the delegates went in talking about the possibility of rebellion and war, but they gave some consideration to the subject. In reporting progress to his friends at home, Samuel Adams wrote: "I have been assured, in private conversation, with individuals, that, if you should be driven to the necessity of acting in the defence of your lives or liberty, you would be justified by their constituents, and openly supported by all the means in their power. . . ."

On the other hand, John Adams seemed to find a somewhat different emphasis in talks upon this delicate subject of possible war:

If it is a secret hope of many, as I suspect it is, that the congress will advise to offensive measures, they will be mistaken. I have had opportunities enough, both public and private, to learn with certainty the decisive sentiments of the delegates and others upon this point. They will not, at this session, vote to

The
Association

Plans for War

raise men or money, or arms or ammunition. Their opinions are fixed against hostilities and rupture, except they should become absolutely necessary; and this necessity they do not yet see. They dread the thoughts of an action. . . .

Early in October, 1774, the delegates heard reports that General Gage was extending fortifications in Massachusetts. The Congress sent him a formal warning that the delegates approved the conduct of the Bostonians in opposing British laws, and they called the general's attention to "the determined resolution of the colonies, for the preservation of their common rights, to unite in their opposition to those acts." Then they urged Gage to consider carefully how his policy might "irritate & force a free people, however well disposed to peaceable measures, into hostilities . . . & may involve us in the horrors of a civil war." Then the Congress advised the Bostonians to conduct themselves peaceably toward Gage and his troops "as far as can possibly be consistent with their immediate safety, and the security of the town."

In this same connection John Dickinson wrote that the Congress had taken so definite a stand as to compel Great Britain to modify her policy "or inevitably involve herself in a civil war." And he went on: "The first act of violence on the part of Administration in America, or the attempt to reinforce General Gage this winter or next year, will put the whole Continent in arms, from Nova Scotia to Georgia." Subsequently Joseph Galloway reported that after the official work of the Congress was finished, "the Republicans adjourned to a tavern in order to concert the plan which was necessary to be pursued by their party, throughout the Colonies for raising a military force." Evidently the majority of delegates were prepared to support Massachusetts in case she should suffer further at the hands of Great Britain, but they would not sanction any unprovoked attack upon the British forces.

FINAL STEPS TOWARD WAR

In all the colonies there were committees of correspondence or similar bodies already prepared to enforce the Association and they seem to have lost no time in going to work. Figures reported on the importation of British goods into America show a decline in 1775 of almost 97 per cent. No British regulation of American trade had ever been as vigorously enforced as was this extra-legal Continental Association.

The
Association
Enforced

In adopting the Association the Congress had hoped to move the British merchants to action, so that they would compel Parliament to repeal the coercive acts. The English merchants were keenly aware of this loss of American trade and during the first few months of 1775 they applied pressure upon Parliament for the purpose of changing its policy toward America. When Parliament met early in 1775, it was almost swamped with petitions from English businessmen, all urging moderation in the policy toward America. The Cabinet, however, did not act in time to prevent hostilities.

During the weeks while the Continental Congress was in session and

afterwards, the people in Massachusetts proceeded to sever the remaining ties that bound them to the British system. They did this with comparative ease, and the transition from dependent colony to independent commonwealth was soon almost complete. Towns held their meetings, regardless of the Act of Parliament prohibiting them; county conventions were held, and in October a so-called provincial congress met. Under the directions of this body the towns raised and trained their militia, while the provincial congress itself appointed committees of safety and supply. Once aroused, the country towns were impatient at the delay and anxious to begin hostilities. Samuel Adams, however, hoped to throw upon General Gage the odium of making the first move, and during the winter he and other leaders succeeded in holding the towns in check.

By the end of 1774 British power had been almost divorced from Massachusetts. The new council had no influence, the old General Court had passed out of existence, and Governor Gage's authority did not reach beyond Boston and the British forces under his command. Even the courts of justice ceased to function. To quote John Adams again: "Not a court of justice has sat since . . . September. Not a debt can be recovered, nor a trespass redressed, nor a criminal of any kind be brought to punishment." All contemporary reports reveal the increasing tension between the two sides.

Among the watchful observers of this delicate situation was an officer of the British army; his diary is an excellent commentary on the course of events. In January, 1775, he reported an altercation between some of the officers and the town watch in Boston. General Gage ordered a court of inquiry. He was "much displeased" with the conduct of his officers, because he was "anxious to prevent just cause of complaint on the part of the Townspeople." On January 30, 1775, the officer reported that the daily routine of the troops "is done with the utmost strictness, as the ferment among the people has by no means subsided. We have a free intercourse with the Country," he continued, "but the people are evidently making every preparation for resistance. They are taking every means to provide themselves with Arms."

One possible source of arms was the British camp in Boston, and soldiers were court-martialed for selling guns and gun locks to the country people. Gage, of course, did his best to stop this practice. The evidence indicates that he showed excellent judgment in dealing with problems of this sort. A less tactful commander might have had a war on his hands weeks earlier. At the same time Gage had to make sure that his men were ready for instant action. In February, 1775, he began to send them on practice marches into the country with full arms and equipment. By so doing he could keep his forces at the peak of preparedness and also accustom the people to the sight of British forces in motion. The people feared "that something par-

ticular is concealed under these movements, and there are always some persons appointed to Watch the motions and direction of the Troops."

Although they were uneasy and suspicious, the Bostonians and their neighbors made no attempt to interfere with the regular marches of the troops, doubtless because they could see no specific threat in them. But they never relaxed their watchfulness. "I am of opinion that, if once General Gage should lead his troops into the country," wrote Dr. Joseph Warren, "with design to enforce the late Acts of Parliament, Great Britain may take her leave, at least of the New-England colonies, and, if I mistake not, of all America."

Occasionally something happened to show how close the explosion was, and how little would be needed to set it off. On March 6, 1775, the American leaders in Boston arranged for a service in the Old South Church to commemorate the Boston Massacre which had occurred five years before. Dr. Warren was the orator of the day. Several British officers attended, ready to protest against any aspersions on the king's troops. The townspeople "certainly expected a Riot, as almost every man had a short stick, or bludgeon, in his hand." Both sides were looking for trouble and a single blow might have started hostilities. The blow did not come, and the tension continued.

During these tense days both Lord Dartmouth in England, Secretary of State for the Colonies, and General Gage in Boston became convinced, as Gage put it, "that, if a respectable force is seized, and a pardon proclaimed for all others, government will come off victorious." Gage therefore prepared to move against the radicals and so precipitated the crisis.

On April 14 the provincial congress of Massachusetts adjourned for a month. Gage, who had been watching proceedings carefully, felt that the time had come to arrest John Hancock and Samuel Adams, and incidentally to seize or destroy some of the military stores which the committee of supply had been collecting at various points. Rumors of his proposed move were soon afoot, and on April 18 the local leaders sent out a hurried call for the provincial congress to reassemble. On this very same day General Gage ordered a detachment of troops to be ready at ten o'clock that night on the shore of the Charles River opposite Cambridge. This news was in circulation on the water front as early as two o'clock in the afternoon. That night Gage started his famous expedition on its way to Lexington and Concord. The countryside was warned by William Dawes and Paul Revere, so that the reception accorded the troops was considerably warmer than Gage had anticipated. Failing to get either Hancock or Adams, the troops succeeded in destroying some of the stores. Then, pursued by steadily increasing bands of "minute men," they made their retreat back to Boston. The long-expected war was on.

Paul Revere

The news was carried rapidly from place to place, reaching New York on Sunday, April 23, Philadelphia at five in the afternoon on April 24, Vir-

ginia April 30, Charleston, South Carolina, May 8, and from all quarters came reports of a determination to stand by Massachusetts. On May 10, 1775, the Second Continental Congress assembled in Philadelphia. This meeting was not the result of the fighting at Lexington and Concord, but of a resolution adopted at the First Continental Congress.

Although hostilities started in April, time was needed to enable the revolutionists in the different colonies to get possession of their provincial governments. In New York, for example, the provincial congress did not secure control until the end of May. In Virginia the complete break with the royal government did not come until October, 1775. There was one curious illustration of the difficulty of transmitting news to outlying posts in the interior. At Fort Ticonderoga, New York, there was a small force of British troops, only forty-eight strong. No report of the fighting at Lexington and Concord reached them. But the Revolutionary government in Connecticut sent a militia force under Benedict Arnold into Vermont, where they joined a handful of Vermonters under Ethan Allen. Leaving these forces in the woods, Allen rode casually up to the fort and asked the commanding officer to let him hire some of the British regulars for work on the Lake. He got the men and by nightfall had them helplessly drunk. Then he demanded and received the surrender of the fort. Here the Americans found valuable stores of ammunition and twenty pieces of artillery.

Shortly before the outbreak of war Edmund Burke and Lord North came before Parliament with rival plans of conciliation with America. North's plan was adopted, but the Americans had long since passed the time when conciliation was possible.

Any attempt to summarize the causes of a movement as complex as the American Revolution is bound to be unsatisfactory and the conclusions are generally open to criticism at some point. Perhaps the most important single cause is the growth of the colonies, which gave them a steadily increasing sense of their own importance. This is especially true in connection with the constitutional development centering in the colonial legislatures. By 1760 the Americans had become politically self-sufficient, and any encroachment on the field of their legislatures was bitterly resented. Therefore the change in British policy with reference to colonial revenue ran counter to one of the main lines of colonial development. The formula of "no taxation without representation" was simply the objective statement of this feeling regarding the pre-eminence of the local assemblies. The commercial colonies were complaining of and opposing the customs service. British policy had given offense, and grave offense, to a number of colonies. The American leaders wanted liberty, that is, complete autonomy for the colonial governments.

Any effort to explain the Revolution in terms merely of geographical distance from England or in accordance with any theory of inevitability, or even solely in terms of the oppressive character of British policy will leave much to be desired. Point is given to this suggestion by the refusal of Nova

Scotia to join the revolt. Here was a royal colony, inhabited by British subjects, commercially in close touch with ports in New England, particularly with Boston. Cultural ties likewise were close because during the 1760's settlers from Massachusetts and Connecticut had moved into Nova Scotia. Nova Scotia had been a victim of the Stamp Act, the Townshend Acts, and the Tea Act, but these measures inspired little if any talk of revolt there. Nova Scotia sent no delegates to the Continental Congress. When some of the recent arrivals from New England attempted to propagate radical doctrines they were driven out of the colony.

Early Military Operations and the French Alliance

COURSE OF THE WAR

FOR THE war which began on April 19, 1775, the Americans appeared to be poorly prepared. Military operations require unity of direction and of command, but the colonies had no central government. The First Continental Congress had made provision for a second Congress, to meet in May, 1775, if by that time Great Britain should not have made proper concessions to American demands. This new body did not even assemble until the war was a month old, and it had no clearly defined powers. At the time the Americans had no naval force, but this weakness might subsequently be offset by the use of privateers. As for an army, neither the "minute men" who drove Percy's troops from Concord back to Boston, nor their compatriots who flocked to the siege of Boston could qualify as trained soldiers.

On June 15, 1775, the Continental Congress appointed George Washington as commander-in-chief of the army. Never did this great Virginian appear to better advantage. When the committee informed him that he had been chosen, he expressed his appreciation of the honor conferred upon him and then modestly added: "Yet I feel great distress, from a consciousness that my abilities and military experience may not be equal to the extensive and important trust . . . But, lest some unlucky event should happen, unfavorable to my reputation, I beg it may be remembered, by every gentleman in the room, that I, this day, declare with the utmost sincerity, I do not think myself equal to the command I am honored with." Washington did not reach Cambridge to take command of the American forces near Boston until July 3, 1775. A short time before his arrival, on June 17, the American and British forces clashed in the first formal engagement of the war, the battle of Bunker Hill.

American troops had occupied the lower of two hills on the Charlestown peninsula. On the two sides were the Mystic and the Charles Rivers. The narrow causeway connecting the peninsula with the mainland was so close to sea level that it was sometimes flooded. To the west were the hills of Somerville, commanding Charlestown, while Dorchester Heights commanded Boston. The British might have adopted a combination of several courses. By occupying the high ground at Somerville and Dorchester they could have compelled the Americans to evacuate the whole area of Boston,

George
Washington

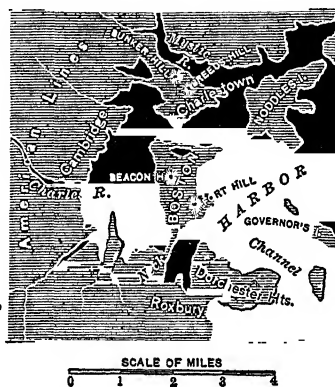
because the colonials had no artillery. Or by placing a small force on the causeway they could have starved the Americans in Charlestown into surrender. Again they could try a frontal attack up the hill; if successful they could drive the Americans off the peninsula. In spite of the protests of his officers General Gage decided upon this course. The attack was not successful.

Charles Francis Adams described the battle as "one of the most singular examples on record of what might be called the 'balancing of blunders' between opposing sides." Then, thanks to what he called "the superior capacity for blundering of the British commanders," the battle was actually a moral victory for the Americans. The Americans drove back two successive attacks; when the third came they had no more powder. The British lost heavily—one thousand men—more than twice the number of American losses.

After the battle of Bunker Hill, Washington tried to transform his untrained forces into an army, but he encountered unexpected obstacles. In the course of two months he dismissed a colonel and two captains for cowardice, and three more captains for other offenses; besides these he had five other officers under arrest. By the end of August, 1775, he wrote: "I have made a pretty good slam among such kind of officers as the Massachusetts government abound in."

After working vigorously to establish discipline among both officers and men, Washington faced a new difficulty: lack of essential supplies. "My situation is inexpressibly distressing," he wrote, "to see the winter fast approaching upon a naked army, the time of their service within a few weeks of expiring, and no provision yet made for such important events. . . . The military chest is totally exhausted; the paymaster has not a single dollar in hand; the commissary-general assures me that he has strained his credit, for the subsistence of the army, to the utmost. The quartermaster-general is in precisely the same situation." And he added that most of the troops were close to mutiny.

To a certain extent these military difficulties were the results of civilian shortcomings. The commander-in-chief was both shocked and angered by the evident willingness of businessmen to make money out of the army. Washington himself wrote at length about the evils of "Speculation, speculation, and an insatiable thirst for riches," and about "Speculators, various tribes of money makers, and stock jobbers of all denominations." With these troubles on his hands it is no wonder that General Washington alternately



MAP 9. BOSTON AND VICINITY.

American
Problems

prayed and cursed: "Such a dearth of public spirit, and want of virtue," he wrote, "such stock-jobbing, and fertility in all the low arts to obtain advantages of one kind or another . . . I never saw before, and pray God I may never be witness to again . . . Such a dirty, mercenary spirit pervades the whole that I should not be at all surprised at any disaster that may happen."

While Washington was trying desperately to hold his own army together, he contrived to organize and send off two expeditions for an attack upon Canada, one under Benedict Arnold against Quebec by way of the Maine wilderness, and the other under Richard Montgomery against Montreal by way of Lake Champlain. On December 3 Montgomery joined Arnold before Quebec, but the hardships of campaigning in that wild country had reduced their combined strength to one thousand men. In spite of heavy odds, on New Year's Day, 1776, they attacked the city. Montgomery was killed, Arnold wounded, and the fight was lost. During the spring Congress sent reinforcements to Arnold, and on June 8, 1776, he risked another battle. But the Americans were again defeated and compelled to retreat to Lake Champlain. However, even if they failed to win Canada, they at least had prevented the British from attacking Ticonderoga.

During this same winter the situation at Boston remained unchanged. Washington had practically no powder so he could not risk an attack upon the British. On the other hand, General Howe, who had succeeded Gage in command of the British forces in Boston, was so lacking in energy that he made no trouble for the Americans. In March, 1776, Washington was able to break the deadlock. By this time he had received the artillery and supplies captured ten months earlier at Ticonderoga. He fortified Dorchester Heights, thereby making Boston untenable. On March 16, the British forces, accompanied by nearly one thousand Loyalists, evacuated the city and embarked for Halifax.

By the end of the first year of hostilities some of the major problems of the war were becoming clear. One weakness which the leaders could not overcome was lack of public support. Out of the total population of two and one-half million people, not more than one-third could be counted actively on the American side. Almost as many were ready to give full support to the British, while the other third was indifferent. Even those who openly took the American side were none too eager to serve in the army. With at least two hundred thousand men of military age available in this group of professed friends of the Revolution, the American army could never count more than 90,000 with the colors. In 1779-1780, the American forces dropped to a total of 45,000 men.

In spite of their inability to command the adherence of more than a minority of the population, the leaders of the Revolution found the logic of events pointing more and more clearly toward independence. For a time the lack of numerical strength and the hesitant attitude of some Revolution-

British Forces
Leave Boston

ary leaders prevented the Congress from adopting this logical policy. At the beginning of the winter of 1775-1776, not a single colony was ready officially to sanction a formal break with Great Britain and even in the following spring, after the British had left Boston, there was still vigorous opposition. From the beginning the Tories or Loyalists were determined to prevent a separation, or if that should prove impossible, to stave it off as long as possible, and their influence could not be ignored. In that group were to be found not only former royal office holders and the Anglican clergy, but large numbers of conservative individuals: merchants, professional men, and others, who saw more to lose in abandoning the empire than there was to gain in proclaiming independence.

Independence
Debated

The Loyalists were opposed by the organized radicals, men in charge of the committees of correspondence and provincial congresses; these extra-legal bodies had picked up the reins of government where they had been dropped by officials of the old order. Because these leaders controlled the machinery of government and the various organs of publicity, they were able to make a deeper impression than the conservatives. Furthermore, the course of events was working on their side. The efforts of the British government to suppress the rebellion led inevitably to acts which roused even the moderate Americans to align themselves with the radicals.

To the gradually growing sentiment in favor of separation a tremendous impetus was added by the publication of Thomas Paine's pamphlet, *Common Sense*. Paine was somewhat like Voltaire in the clearness with which he phrased his obvious, self-evident criticisms of the established order. He stated the argument for independence so clearly as to convince not only the newly chosen legislators and the privates in Washington's army, the very ones who would shape opinion for months to come, but such influential leaders as Washington himself. Although he was a recent arrival from England, Paine ridiculed the whole theory of kingship; he even made light of the venerated English constitution. Then, appealing to that pride in the coming greatness of the country which characterized every true American of the time, Paine pointed out the absurdity in having a whole continent controlled by a little island three thousand miles away.

Thomas Paine

The pamphlet sold by the hundred thousand copies, and its effect was soon evident in the more determined stand taken by the promoters of independence. The immediate problem was to win over the Continental Congress. In this body sentiment against independence was strong. Even John Jay was reluctant to advocate a formal declaration, and his colleagues from the middle colonies were equally slow to move. The five middle colonies had instructed their delegates to oppose independence, and the winter had passed before a single government officially sanctioned the step.

But during May and June sentiment in behalf of independence developed rapidly. The radicals were able politicians, and arousing public sentiment was the work for which they were best trained. They did this by working

Independence
Declared

through their customary agents, the local committees, and by bringing whatever personal pressure they could upon their hesitant colleagues in the Congress. One of the strong arguments used was the need of foreign help. Both union and independence were essential if such help were to be secured. On June 7, 1776, in compliance with instructions from his state, Richard Henry Lee made the motion "That these united colonies are, and of right ought to be free and independent states." Even then the conservative delegates, especially from the middle states, held back; they knew that public sentiment in their own states was still lagging far behind Virginia and New England. As a result the radicals had to agree to a delay of three weeks, although in the interim a committee was set to work on the form of a declaration.

During this interval, opportunely for the advocates of independence, news came from England that King George III had arranged to buy the services of twenty thousand German troops, to be used in subduing the Americans. Even then, the regular government in Pennsylvania had to be overthrown, and the hitherto unfranchised elements brought to the front, before that province could be won over to independence. After a careful discussion, in which John Adams and John Dickinson took the leading parts on the two sides, on July 2 the Congress committed itself definitely to a resolution of independence. On July 4 this resolution was approved by twelve states, New York being the one to stand out.

The completed document known as the Declaration of Independence was drawn up by a committee of Congress, although Thomas Jefferson did most of the work. The purpose was to arouse enthusiasm for the cause. Even more effectively than Paine, Jefferson put into enduring phrases the convictions of the revolutionary party. Under Jefferson's handling these thoughts which had long been the common property of the radicals were transformed into slogans for the nation. With the Declaration the country reached the climax toward which strict logicians like Samuel Adams had been pushing it for years. Ending as it did the lingering hopes of the moderates for a peaceful reconciliation, it forced them into the decision which they had hoped to avoid. Henceforth lines between Patriots and Loyalists were drawn more sharply, and opposition to the radicals was automatically transformed into treason to the country. In New York the Loyalist element was especially strong, and its hopes were continually buoyed up by promises of immediate and effective help from Great Britain. But on July 9, 1776, the New York provincial congress approved the Declaration of Independence, thereby creating at least the appearance of American unity.

For three months after General Howe's evacuation of Boston important military movements came to an end, but the British were perfecting plans for a new campaign. These made New York the next scene of action. Undeterred by its three thousand mile distance from the actual fighting, the Cabinet undertook to direct in detail the movements of its troops. In broad

outline the policy approved by the civilian authorities called for the separation of New England from the other colonies. Then New England could be starved into submission. In arriving at this decision the ministry ignored several obstacles: the length of seacoast to be blockaded, the difficulties of transporting the necessary troops to America, and the problem of moving them from place to place once they were there. Neither the British navy nor the army was in condition for a vigorous war, as the officials in charge knew only too well. But in spite of the warnings of military experts, the ministry proceeded to execute its plan.

Operations at
New York

After the campaign around Boston came to an end, Washington sent his troops on to New York. He arrived there in April, 1776. Shortly before July 1, General Howe's transports appeared off Sandy Hook, followed by a second expedition in charge of his brother, Lord Howe. Actual fighting, however, did not begin until the end of August. The delay was due to Lord Howe's attempt to bring about a reconciliation. But with the Declaration of Independence still new, the leaders were in no mood to consider peace on any terms that Howe could offer, and when the realization of that fact was driven home in the minds of the Howe brothers, real operations were begun.

General Howe was to capture New York City, while General Carleton was to come down from Canada and seize control of Lakes Champlain and George and of the upper Hudson. Howe's part of the work was not especially difficult. The British forces numbered nearly twenty-five thousand men, well trained and equipped and supported by a powerful fleet, while Washington was obliged to rely upon an ill-trained, poorly organized army of some eighteen thousand. The American commander unwisely tried to protect New York by holding Brooklyn Heights on Long Island; with a superior navy this plan might have been feasible; without a fleet, the American forces ran a grave risk of being left in isolation on Long Island.

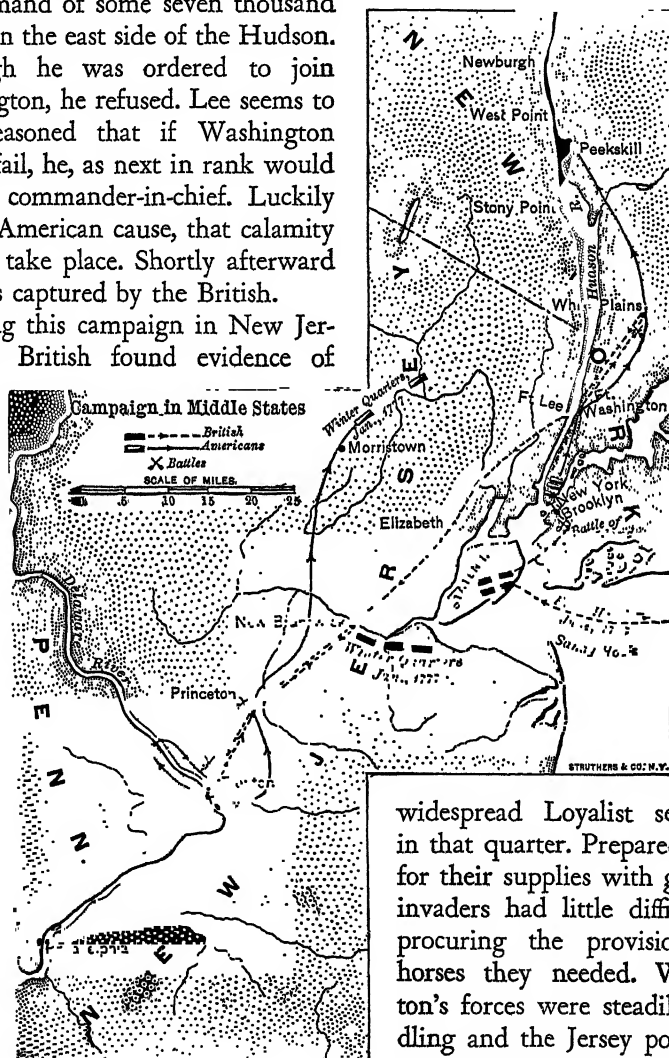
The battle of Long Island began on August 22, 1776. The British general, Sir Henry Clinton, landed on Long Island in the rear of the American army. In the first engagement the British captured a third of Washington's men. Then, on the night of August 29th, thanks to the help of a light fog, the American commander had his men ferried from Brooklyn to Manhattan and so escaped from the trap. But superior British forces drove him from the city and from that time until the end of the war the British retained possession of New York.

Battle of
Long Island

But the capture of New York was only part of the British plan of campaign for 1776. General Carleton moved south from Canada, following Arnold's troops. In this retreat Arnold revealed the extraordinary vigor and resourcefulness which stamped him as one of the ablest commanders in the American cause. Carleton succeeded in reaching Fort Ticonderoga, but instead of continuing the fight he turned his back to the Americans and returned to Canada. This part of the British campaign was a flat failure.

Washington's forces in the meantime were almost at General Howe's mercy. The American commander did not have troops enough to maintain his position, and under Howe's pressure he left New York and retreated into New Jersey. During the campaign General Charles Lee had been left in command of some seven thousand troops on the east side of the Hudson. Although he was ordered to join Washington, he refused. Lee seems to have reasoned that if Washington should fail, he, as next in rank would become commander-in-chief. Luckily for the American cause, that calamity did not take place. Shortly afterward Lee was captured by the British.

During this campaign in New Jersey the British found evidence of



MAP 10.

widespread Loyalist sentiment in that quarter. Prepared to pay for their supplies with gold, the invaders had little difficulty in procuring the provisions and horses they needed. Washington's forces were steadily dwindling and the Jersey population showed no inclination to enlist under him, but they were ready

to join the British. The British commander offered full pardon to all the inhabitants who would take an oath of allegiance to the king, and nearly three thousand people availed themselves of the privilege. Had it not been for the atrocities committed by British and Hessian forces, there would have been an even more emphatic manifestation of loyalism.

For the Americans the situation was bad and even Washington felt that if a new army could not be enlisted, "the game is pretty nearly up." And yet instead of yielding to discouragement, Washington determined to try the effect of a surprise attack. Reinforced by the men long withheld by Lee, he planned to recross the Delaware and strike at the center of Howe's line at Trenton. Christmas night was the time chosen. It proved to be so stormy that only one-third of his army could get over and even that work consumed ten hours. Then, after a nine-mile march through the storm, his little division of twenty-five hundred men took the town completely by surprise. Unable to offer any effective defense, the enemy, mostly Hessians, were driven out of town and then compelled to surrender. Washington's troops took over a thousand prisoners.

Washington's
Victory at
Trenton

This brilliant victory aroused the flagging interest of the Americans, and men began to re-enlist. On December 29 the American commander was able to cross the river again and occupy Trenton. Cornwallis hurried out from New York and picking up a force from the British camp at Princeton tried to capture Washington. Neatly outmaneuvering Cornwallis, Washington attacked the remaining forces at Princeton, and then retired to spend the winter at Morristown, safe from the enemy but unfortunately subjected to almost every hardship except attack.

Washington's exploit at the beginning of winter deprived the British of their gains of the preceding summer and fall, with the exception of New York City. More important still, American courage and hope were renewed. The Hessians, with a sensible eye to the advantages of being on the winning side, began to desert to the American standard. As for the Loyalists who had taken the oath of allegiance to the king, they found themselves left to the none too tender mercies of the American troops. Washington forced all who had taken the British oath to take a new one to the United States or retire to the British lines.

In the spring of 1777 the British authorities decided to renew their efforts to separate New England from the other states. This time they made preparations for a more effective campaign. General Burgoyne was picked to lead an army of 8,000 men down from Canada along the traditional route past Crown Point and Ticonderoga to Albany. Colonel St. Leger was to take a force to Oswego and then work eastward, through the Mohawk valley, to meet Burgoyne at Albany. General Howe was to move his army of 25,000 men up the Hudson, and by the time he reached Albany the main objective of the British would have been achieved. These complex operations in the wilderness were to be directed by the War Office in London, three thousand miles distant.

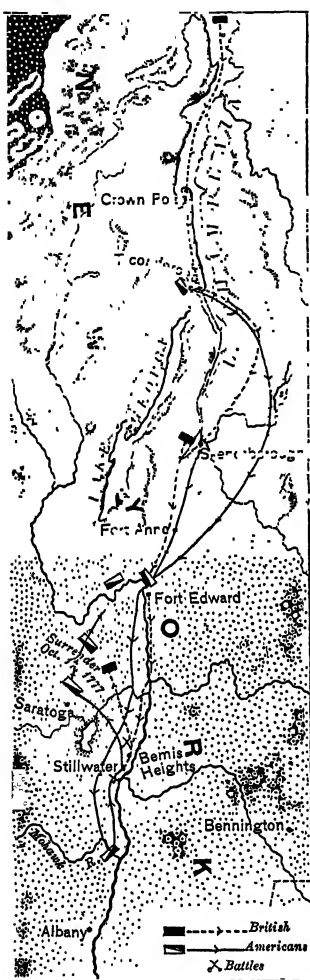
The
Campaign
of 1777

Early in June Burgoyne started south, and from that time until October the British operations and some of the American efforts were, according to Charles Francis Adams, a series of "consecutive and sustained blundering." In the course of a month Burgoyne had reached and captured Ticonderoga.

The loss of this fort, though by no means a disaster to the American cause, was at least an indefensible blunder. General St. Clair had neglected to make the place impregnable by fortifying a commanding hill less than a mile away. When the British occupied the summit, the fort became untenable, and the American garrison retreated to Fort Edward.

After leaving Ticonderoga the British troubles really began. Because of the distance from Canada, Burgoyne was compelled to rely upon the surrounding country for supplies. These, however, were removed as he advanced toward Fort Edward. As his wants became serious, he determined to send an expedition over to Bennington, to seize American supplies stored there. This gave General John Stark, under a New Hampshire commission, an opportunity to make himself famous. The British and German raiding party was beaten and the New England farmers began to hurry toward New York, hoping to capture Burgoyne's whole force.

In July St. Leger started from Oswego, intending to march toward Albany by way of Fort Stanwix. He encountered various difficulties, though none were insuperable until he got almost within striking distance of a small force under Benedict Arnold. By a clever ruse on the part of Arnold, St. Leger's army was thrown into a panic and virtually disbanded. With a few followers the Colonel himself made his way back to Montreal. Thus the expected union of the two northern forces failed to take place, and Burgoyne's situation became dangerous. Losses which he had suffered on the march to Fort Edward had left him with only three thousand men. If he had been a free agent, with power to move his troops in accordance with his own needs, he would have



MAP II. BURGoyNE'S CAMPAIGN.

retired to Fort Edward, but orders from England compelled him to push on toward Albany, to join Howe.

And where was Howe? Nowhere near Albany but down on Chesapeake Bay moving toward Philadelphia from the south. Early in June he had received from the ministry the plan of the northern campaign, without any specific instructions for himself. His own plan of capturing Philadelphia

had been approved previously, and without appreciating the vital necessity of going north, he took fourteen thousand men to carry out his own campaign. On August 25 he received the first intimation that he had been expected to join Burgoyne.

When Howe left New York for Philadelphia, Washington was within ten days' march of Albany. If he had taken his forces north, the combined American armies might have compelled Burgoyne to surrender in September. Instead of trying this expedient, Washington took his men south, and tried to hamper Howe's march from Chesapeake Bay to Philadelphia. At Germantown he missed an opportunity to defeat the British. Howe in the meantime captured Philadelphia and secured control of the lower part of the Delaware River.

In August Congress transferred the command of the northern forces from General Schuyler to General Gates. In this rearrangement the claims of the ablest American officer in that area, General Arnold, were overlooked. Actually it was the brilliant work of Arnold that forced Burgoyne into the corner at Saratoga, and so made his surrender inevitable. On October 14 he asked for terms, and three days later the "convention" was signed. According to the terms of this agreement, the British army was to go under guard to Boston, and from there to England, under promise not to serve again in the war. Congress, however, violated the agreement, and the troops were not allowed to go home. They remained for almost a year at Boston, and then were transferred to Virginia. By 1783 this British force had practically dissolved.

Surrender of
Burgoyne

After indecisive battles near Philadelphia, at Brandywine and Germantown, Washington went into winter quarters at Valley Forge. Because of the shortcomings and incompetence of the commissary department, ample supplies were held up for want of transportation. As a result Washington's three thousand men were left almost naked and nearly starved. The surprising thing is that they endured as much as they did. Perhaps the absence of mutiny or absolute disintegration of the army can be explained by the almost continuous change of regiments, as one short-term enlistment gave way to another. But in spite of the difficulties, Baron Steuben used the winter to give the men something which many had never received before, the rudiments of regular army training.

The American commander was fortunate in having the advice and assistance of several other experienced soldiers from Europe. The young Marquis de Lafayette came to America before his own country entered the war, and served on Washington's staff. More important than Lafayette were two officers from Poland, Count Pulaski and Thaddeus Kosciuszko, who gave their services to the task of building an army in America. Thanks to his improved forces, Washington was able to stand guard over the British in New York and to prevent them from gaining control of any more territory in the north.

While the American army was undergoing both privation and systematic drill at Valley Forge, the British forces under Howe spent a comfortable, pleasant winter at Philadelphia. With an impartiality not wholly admirable, the wealthy Quakers seem to have treated the British just as hospitably as they had the First Continental Congress in 1774. Then, too, the British officers provided comforts, luxuries, and pleasures for themselves. They were a talented lot, and they put on dramatic performances, gave concerts, escorted the belles of Philadelphia to the dances, and conducted themselves as though the war was the least of their concerns. At the time it was.

Campaigns in
the West

The Saratoga victory was not the only important success won by the Americans. In 1778 and 1779 there were victories in the West which gave the United States a valid claim to the whole Northwest Territory. This military success was the logical outcome of the westward movement itself. As early as 1768 Daniel Boone in Kentucky and James Robertson in Tennessee were laying the foundations of new states, although these settlements did not grow to maturity until after the war. In 1780 Robertson moved on still farther west, and settled Nashborough, or Nashville as it came to be called. In 1775 other pioneers had laid the foundations of a new colony, south of the Ohio, to be known as Transylvania. Others planned to found still another new colony, east and northeast of Transylvania, to be known as Westsylvania.

In these cases, as in all others, the threat of white settlements aroused the Indians, and the British were only too glad to encourage them in attacks on the frontier. To put an end to this danger, George Rogers Clark determined to carry the war into the West. In the summer of 1777 he laid his plans before Patrick Henry, then governor of Virginia. He aimed at the capture of the British posts in the Northwest: Kaskaskia, Cahokia, and Vincennes. Under a commission granted by the Virginia authorities, Clark raised a small force of volunteers, all frontiersmen, with a sprinkling of outlaws who could have struck terror into any community. In the spring of 1778 he led his men down the Ohio, to the mouth of the Cumberland. Then he started boldly overland, for a distance of 120 miles, with Kaskaskia as his goal. Totally unaware of the presence of any hostile forces in that part of the world, the British commander at Kaskaskia had left the fort wide open. Clark's men rushed in, and before the garrison was aware of what was happening the Americans were in full possession. The French residents were well disposed to the Americans, and aided them in getting control of the next objective, Vincennes.

George
Rogers Clark

This was in mid-summer, and Clark settled down at Kaskaskia for the winter. But the British commander at Detroit recaptured Vincennes that fall, and planned to retake Kaskaskia in the spring. Clark preferred to strike first, and in February, 1779, he started overland for Vincennes, 230 miles away. Much of the way his men tramped through bogs, often deep in water, and they camped without tents and often without fire, in country

that would have killed any ordinary human beings. On his arrival before Vincennes, he so maneuvered his men that the British commander was fooled into thinking them a large army, and he asked for terms and surrendered. Clark's victories left the West, with the exception of Detroit, in American hands at the close of the war.

FRANCE AIDS AMERICA

The American success at Saratoga ended the British hope, in 1777 at least, of separating New England from the other states. It also had important consequences in the field of diplomacy and foreign affairs. The Americans had actually beaten a British army in the field. This victory convinced the skeptical officials of the French government that England could be defeated and so encouraged the French to come openly to the support of the United States. French help in turn proved to be the decisive factor in winning the war.

In order to understand the willingness of France to encourage rebellion and representative government, it is necessary to go back to the Peace of Paris of 1763. Formerly the greatest power on the continent of Europe, France was left beaten, stripped of most of her empire, and humiliated. The war was hardly over when French leaders began to think of revenge, and reports of growing dissatisfaction in the American colonies suggested the means. France might encourage the Americans to rebel and so make serious trouble for her English enemy. To this end Choiseul, French minister for foreign affairs, sent over the first of a number of investigators to report on conditions in America. They furnished information about fortifications, artillery, topography, depth of harbors and rivers, and the number and condition of roads, in other words the essential information for an invading army. It was one of these French agents who gave the information about Patrick Henry's speech in the House of Burgesses. In 1774 when Vergennes became foreign minister he promptly collected all available information about America. His representative in England even bribed a member of Parliament and an undersecretary in the colonial office to keep him informed about developments in the colonies.

French Policy
Toward
America

The most important reports to Vergennes concerning Anglo-American relations came not from agents in America but from Caron de Beaumarchais. Beaumarchais was a watch-maker by trade, but he had bought his way into the ranks of the nobility; once there, he became one of the most conspicuous of the courtiers. Although he made political intrigue his primary concern, he found time to play with literature, even to the extent of writing the *Marriage of Figaro* and the *Barber of Seville*. He was also a speculator in business, and something of a desperado in matrimony, suspected of having poisoned two wives. In 1775 he was in London, on a secret diplomatic mission for the French government. At the British capital he fell in with Arthur Lee of Virginia, still acting as agent for his own colony, and at the

Beaumarchais

same time representing the Continental Congress. Lee convinced Beaumarchais that the Americans could win their war, and Beaumarchais saw in the situation a fine opportunity for France to crush England. He urged Vergennes to give secret help to the Americans.

In the latter part of 1775 Vergennes sent an unofficial agent to America, Bonvouloir, a man who had travelled in the colonies before the war. Without giving specific pledges to the Americans, Bonvouloir assured the members of Congress that France was well disposed toward them. He evidently gave the impression that they might count on some assistance from France. More important still, he intimated that France had no plans for recovering control of Canada or Louisiana.

Some time afterward, probably in December, 1775, Vergennes urged the French king to help the American cause. "England is the natural enemy of France," so Vergennes wrote, "an enemy greedy, ambitious, unjust, and false." Therefore it would be desirable to encourage the Americans to make all possible trouble for this enemy. At first help could be given surreptitiously; then in case the Americans should win any impressive victories, France could come openly to their assistance. Maurepas, the chief minister, went even further than Vergennes. He advocated an open offensive against England "to strengthen France, to weaken England, and to secure peace on the Continent, which was constantly disturbed by English intrigues and English money."

Vergennes submitted his arguments for helping America to the king of Spain, and although the Spanish minister for foreign affairs was not wholly in favor of giving encouragement to rebellion in America—Spain had a large empire there—nevertheless the Spanish authorities were ready to assist France in making trouble for England. In May, 1776, the two governments agreed that each should advance the sum of one million livres, or two hundred thousand dollars, to help the Americans.

The significance of Bonvouloir's hints was not lost on the American Congress at Philadelphia, and some of the members wished immediately to seize the advantage of foreign help. To this end, in December, 1775, the Congress appointed two committees to negotiate with foreign governments and to take charge of foreign trade. In March, 1776, Congress commissioned Silas Deane to go to France in the dual capacity of commercial agent and secret diplomatic envoy. Deane also acted as representative of a group of merchants, who planned to buy supplies for the American army and also to trade on their own account. This effort to combine public business, private trade, and diplomacy involved Deane in such a tangle that subsequently Congress professed utter inability to understand just what he had done.

Deane reached Paris in July, 1776, where he found preparations for American aid actually in progress. He was promptly put in touch with Beaumarchais, who was already acting as the agent through whom French assistance was being extended to America. When Deane and Beaumarchais

French
Opinions of
England

Deane's
Mission

once got together not only were supplies forthcoming in large quantities, but loans were also available. Because of official French policy already decided upon, the success of the mission to Paris was assured.

The plan of Beaumarchais, carried out with the approval of both Vergennes and Louis XVI, was to establish a commercial firm, under the Spanish name of Roderique Hortalez. The business of this firm was to act as a secret channel through which the French government could send military supplies to America. During the lifetime of the firm Beaumarchais paid out more than four million dollars. He collected two hundred or more cannon, twenty-five thousand muskets, one hundred tons of gunpowder, together with clothing and tents for twenty-five thousand men. Most of these supplies came directly from military warehouses of the French government. The first installments reached the United States in time for the summer campaigns of 1777 and so contributed powerfully to the American victory at Saratoga.

In the course of the whole war France gave to the United States outright sums of money amounting to \$1,996,500, and made loans to the amount of \$6,352,500. Spain gave this country the equivalent of nearly four million dollars and lent nearly \$250,000. Subsequently Congress, Beaumarchais, and Deane disagreed as to the terms under which this help was supplied. Arthur Lee had assured Congress that France would expect no reimbursement whatever for the money and supplies. Deane and Beaumarchais counted on payment for the military equipment. Congress preferred to accept Lee's interpretation and this body refused to settle Deane's accounts. It also refused to pay anything to Beaumarchais. Beaumarchais himself died in poverty, but in 1831 the United States paid something to his heirs. Deane also died in poverty. In 1842 Congress made belated amends by paying \$37,000 to his heirs.

French
Assistance

After the Declaration of Independence Congress felt free to enter into more formal diplomatic dealings with foreign governments, provided any of them would recognize the newly established republic. In particular the Americans hoped for a formal alliance with France. To this end Congress drafted a tentative treaty and appointed a commission to negotiate with the French foreign office. The commission consisted of Silas Deane, Arthur Lee, and Benjamin Franklin. At first not even Franklin's popularity and cleverness could induce Vergennes to commit himself to a formal treaty. The king was anxious to avoid giving offense to England, so anxious that he would not allow Vergennes to receive the American commissioners officially. There were conferences between the two parties but they had to be carried on below the official level. Then in the fall of 1776, when news of Washington's defeat on Long Island reached France, the foreign office became oppressively cool. Even Beaumarchais became alarmed, not only for the cause of French help, but even for his own personal safety. "My government," he told Franklin, "will cut my throat as if I was a sheep."

**The French
Alliance**

In December, 1777, Paris heard the news of Burgoyne's surrender at Saratoga. Almost at once the attitude of Vergennes and his associates changed from cool indifference to enthusiastic cordiality. Vergennes's secretary, Gerard, came to Franklin's residence to congratulate the Americans on their success. This cordiality was still further strengthened by reports of unofficial conversations between the Americans and certain British agents. The British were planning a mission to America, in the interests of reconciliation. Since such a course might defeat the French plans for humiliating their old enemy, they were willing to meet the Americans more than half-way. Before the end of the year Vergennes assured the Americans that his government would enter into a formal treaty with them.

**Terms of the
Treaty**

In February, 1778, representatives of France and the United States signed, not one, but two treaties, one dealing with commerce, the other providing for common action in the war. The commercial treaty provided for the regulation of Franco-American trade on a basis of "the most perfect equality and reciprocity." The treaty of alliance guaranteed the independence of the United States. It provided for mutual help, under specified conditions, in case of defensive war, and outlined the arrangements to be made in case either party should conquer British territory. France renounced all claim to her former possessions on the continent of North America. With reference to peace, the following paragraph from the treaty is of special interest:

Neither of the two parties shall conclude either truce or peace with Great Britain without the formal consent of the other first obtained; and they mutually engage not to lay down their arms until the independence of the United States shall have been formally or tacitly assured by the treaty or treaties that shall terminate the war.

The treaty also provided that neither party should make any claim upon the other for compensation, regardless of the outcome of the war.

The alliance meant war between France and England, and when France entered the war, the ultimate success of the United States was practically assured. French supplies, French troops, and above all French naval assistance proved to be invaluable. In addition to this direct help, the indirect results of the alliance proved to be almost as valuable. England could no longer concentrate her forces in North America, because she could never tell when a new European combination might strike her at home. All things considered, the agreement with France was the decisive factor in the Revolution, or rather in the achievement of American independence.

**French
Motives**

For those who like to probe into the motives underlying important historical events, the American policy of Louis XVI affords an interesting opportunity. The inconsistency of the whole thing is plain enough. Why should one of the most despotic governments in Europe come to the rescue of a newly formed republic? Again, France and Spain were on traditionally good terms, bound by the Family Compact to show reasonable consideration

toward each other. The collapse of the British Empire might have serious consequences for Spanish America; the success of one revolutionary movement might easily lead to another. More important still, the age-long unwisdom of the French financial policy was just reaching its culmination in impending bankruptcy, and the American war could be depended on to wreck the whole financial system, and that too beyond hope of repair. This danger was so apparent that Turgot, minister of finance, advised strongly against the alliance. He pointed out the certainty of bankruptcy, if France should enter the war, and he prophesied that political upheavals would follow bankruptcy.

Turgot, however, was not only overruled but dismissed from office and Vergennes, the foreign minister, carried his proposals for entering the war. His real aim was to weaken England, so that he might restore to France the prestige lost in the Seven Years' War. In order to do this he would help the rebellious colonies, not enough to make them a menace to Spain, but sufficiently to humble England. In Vergennes's mind there was no thought of aiding the United States because of any fondness for them, or any sympathy with their ideals. He would fight, not as the friend of America, but as the enemy of England, and nobody appreciated the subtleties in this distinction more clearly than Vergennes himself. A clear realization of this fact, however, does not detract from the value of the French alliance. The help received was indispensable, and in spite of the motives back of it, it led to the desired result.

The entrance of France into the contest was followed eventually by that of Spain. For a time, particularly in 1777 and 1778, the Spanish officials hoped to gain certain advantages from the war without actually taking part in it. To this end they tried to make an agreement with England. These two powers held the greater part of North America between them, and such an alliance was within the range of feasibility. According to the suggestions made at the time, England would be guaranteed in her hold on all American territory in her hands at the time of making the agreement, while Spain would receive at least the great fortress of Gibraltar. The American states would be left in a condition short of independence. England, however, refused to negotiate on this basis, so this plan fell through; it is important because it reveals Spanish opposition toward the project of an independent United States.

Spain Enters
the War

Rebuffed by England, Spain turned once more to her old ally. Because neither the French nor the Spanish government had any grounds for confidence in the good faith of the other, considerable time was needed to reach an agreement. As finally signed in 1779, the treaty between the two powers provided that Spain should enter the war, and that neither party should make peace without the consent of the other. The consent of Spain need not be given to any peace treaty until she had recovered Gibraltar. Also the treaty released Spain from any obligation to recognize the United States.

After Spain entered the war, Congress sent John Jay to Madrid, in hope of securing another European alliance. Jay found it impossible to get any formal treaty from the Spaniards, although he did get some financial help. After spending nearly three years at the edge of the Spanish court, he went on to Paris; by that time he had well-defined theories concerning the true motives back of Franco-Spanish diplomacy, and of its bearing on the United States.

With the entrance of Spain into the war, the contest began to take on the appearance of the customary eighteenth-century struggle for the balance of power, and this time England found herself without a single ally. She herself forced Holland into the war, on the French side, in order to cut off Dutch trade with the United States. Although the other nations did not come in, some of them joined in a commercial agreement, which proved to be almost as damaging to England as open belligerency would have been. This was the arrangement known as the "armed neutrality."

Because of England's tendency to interpret her privileges on the seas in such fashion as to give her a hold on neutral trade, the leading neutrals began to emphasize the doctrine that free ships make free goods, that is, that non-contraband, belligerent-owned cargoes on a neutral vessel were not subject to seizure. Both Catherine of Russia and Frederick the Great of Prussia became interested in this principle. Frederick was well disposed toward France and bitter against England because of her treatment of him during the Seven Years' War. Therefore he persuaded Catherine to head the combination of neutrals. Denmark, Sweden, Russia, Prussia, and the Holy Roman Empire all agreed to protect their commerce against British seizures.

In England the American victory over Burgoyne made just as profound an impression as it did in France. The North ministry realized that the thirteen colonies might soon be lost entirely, even if they were not lost already. Only the most generous concessions to American demands would save them and the time for concessions might have passed. North had been working on a program of conciliation for some time, but he was dilatory and Parliament was not in the habit of acting on short notice. On December 10, 1777, the prime minister announced that he would offer measures looking toward reconciliation, but he did not introduce the necessary bills for this purpose until February 17, 1778, after the Franco-American treaties had been signed.

Parliament authorized the appointment of five commissioners to submit North's offer to the Americans. North appointed Lord Carlisle, William Eden, George Johnstone, and the two Howe brothers, the general and the admiral; these last two were already in America. The first three reached America in June, 1778, just as General Howe was moving his army from Philadelphia back to New York.

Briefly, the commissioners were authorized to deal with any persons in America, official or otherwise, who would give them a hearing. They were

Armed
Neutrality

The Carlisle
Commission

to offer concessions in various stages, stopping short only of "open and avowed Independence." All measures of Parliament relating to the colonies, passed since 1763, would be suspended, and Parliament would never again enact any measures involving taxation of the colonies, except measures necessary for the regulation of trade. The British government would even allow the Americans to appoint the customs officials stationed in American ports. Congress might be continued as a permanent part of the government, and Americans would be allowed representation in Parliament, if they so desired. Full pardon would be granted to all participants in the "rebellion."

Had such proposals been offered prior to the outbreak of war they would doubtless have been accepted. But after the Declaration of Independence, Saratoga, and the French alliance the Americans would consider nothing but independence. Nothing but military defeat could bring them back into the empire. In October, 1778, the commissioners returned to England, with little to report except an account of their fruitless attempts to negotiate; the failure of their mission was complete.

Revolutionary Problems: Social, Political, Economic

 THE SOCIAL REVOLUTION

 Revolutionary
Changes

IMPORTANT as the military movements may have been during this first part of the Revolution from 1775 through 1777, there were other activities going on, some of which were intimately concerned with both the contemporary and succeeding development of the young nation. The outbreak of war meant the annihilation of British authority in regions not actually occupied by royal troops. The time required for the completion of this process varied in the different colonies, but after New York had accepted the Declaration of Independence little more work of this kind remained to be done. The overthrow of the old system necessitated the establishment of a new one, and while the Americans were practicing the art of war, they were experimenting with the science of free government.

Under certain conditions the repudiation of an established political system might plunge a whole population into anarchy, but the separation from England did not subject the Americans to this misfortune. During the colonial period the various governments had acquired through their elective assemblies a preponderant influence in public affairs. Then, as the revolutionary movement gained headway, the radicals who had seized leadership assumed the functions of the executive. Thus while the external shell of the old system remained until the end, the organism within had almost completely changed. When the war began, this revolutionary organism was ready to come into the open. The committees of correspondence and of safety, the county conventions, and the provincial congresses all reflected the power of the ruling group of radicals. But the Revolution could not proceed without approaches toward what the eighteenth-century philosophers liked to call "a state of nature," and before well-ordered new governments could be started there were signs of defiance of constituted authority. During the preliminary contests the leaders had generally come from the ruling class, but they had called upon the unprivileged for assistance. The participants in Stamp Act mobs or in the parties for subjecting importing merchants to tar and feathers had enjoyed their novel apprenticeship in politics. Once aroused, they were ready to try their own hands at running the state, and their efforts alarmed their former managers. Artisans, farm laborers, small farmers, almost everybody in fact who had been on the outside of the old government, demanded a voice in the new. In this determination they found

encouragement in the prevailing revolutionary philosophy. The radical leaders had talked much of liberty, of representation, of the tyranny of government, of the horrors of servitude. All this appealed to the populace. If the colonies as a whole could throw off the rule of the empire, why should not the citizens repudiate the authority of the state? Liberty is a word capable of various interpretations, and there were many Americans prepared to find their own particular meaning in it.

Started as a political revolt, the war with England provided the opening for numerous social alterations. Perhaps one of the most alarming symptoms appeared in Massachusetts, the original home of the public school system. Various observers reported that the towns were dismissing the teachers, because they could not keep the schools going and support the war at the same time. With the schools closed, the children were left in idleness and mischief, "given up to all evil," so Abigail Adams wrote.

John Winthrop, a descendant of the first governor, characterized the Revolution in these terms: "There is such a spirit of innovation gone forth as I am afraid will throw us into confusion. It seems as if everything was to be altered. Scarce a newspaper but teems with new projects." Observers noted a change in attitude toward religious observances. No less an authority than the provincial congress of Massachusetts put itself on record in this connection: "Among the prevailing sins of this day, which threaten the destruction of this land, we have reason to lament the frequent profanation of the Lord's day. . . . Many spending their time in idleness or sloth, others in diversions, and others in journeyings or business, which is not necessary on said day." Jonathan Sayward, a merchant of York, Massachusetts—later Maine—complained that "men's tempers and common conduct are altered. We are remarkably unsettled in Religious as well as Polittical Principles the Doctrine of Eternal Punishment for Sins is Exploded, and it is said most of the Boston ministers are in the new faith the Bond of Fear being taken off we are become exceeding immoral. Pious old Christians are departing, and I hear of no new converts."

Religion and
Morals

Doctor Ramsay of South Carolina, one of the contemporary historians of the Revolution, soberly concluded:

War never fails to injure the morals of the people engaged in it. The American war, in particular, had an unhappy influence of this kind. . . . On the whole, the literary, political, and military talents of the citizens of the United States have been improved by the revolution, but their moral character is inferior to what it formerly was. So great is the change for the worse, that the friends of public order are loudly called upon to exert their utmost abilities, in extirpating the vicious principles and habits, which have taken deep root during the late convulsions.

Other signs of change in social habits and attitudes were to be found in what the provincial congress of Massachusetts called the "alarming symp-

Refusal to
Pay Debts

toms of the abatement of the sense, in the minds of some people, of the sacredness of private property." This lack of respect for the rights of property was almost inevitable. Government and property had long been bound together so that any attack upon one was certain to be accompanied by assaults on the other. The unprivileged elements had been not only permitted but encouraged to destroy private property before the war; when they got the chance they turned the same methods to account for themselves. Everywhere debtors were refusing to pay debts, and when their creditors resorted to the courts, the courts were overthrown. In June, 1776, a small mob of unimpeachably good patriots, armed with clubs, prevented the court from sitting in Bristol County, Massachusetts. As a matter of fact, courts were allowed to try cases in only two counties in the state: Essex and Middlesex. Courts of justice were the outstanding symbols of government under law, and law was being flouted. John Adams quoted a conversation with one of his clients on this subject: "Oh, Mr. Adams, what great things have you and your colleagues done for us! We can never be grateful enough to you. There are no courts of justice now in this Province, and I hope there never will be another." Adams was shocked at this opinion. He feared that half the nation might hold similar views, because half the nation was in debt. "Surely we must guard against this spirit and these principles," he observed, "or we shall repent of all our conduct." In this same connection, in 1776, the town of Pittsfield, Massachusetts, formally petitioned the House of Representatives to order "that no person may, at present, be allowed to sue for private debts."

Then a satirical commentator in the *Boston Gazette* found the same spirit in the attitude toward a proposed new constitution. Some rascals, he declared, were demanding a new government, "to make men pay their debts—that was one objection we had to the old government. . . . Strange that men of common sense don't understand the nature of liberty better. Who enjoys liberty if he has to pay his debts? The greater part with us, if they were called upon to pay their debts, could enjoy no liberty at all, for they would be shut up in jail. We of this county are the only true sons of liberty. We have put an end to our courts . . . for compelling men to pay their debts, and we can thereby enjoy the sweets of liberty and can trespass with impunity."

POLITICAL THEORY AND GOVERNMENT

Revolutionary
Doctrines

In setting aside the rules which ordinarily control civilized communities these enthusiasts were merely putting into practice the political generalities which had circulated freely at the beginning of the war. What was government anyway, but an agreement between individuals? There was "no witchcraft" in it, so one amateur political scientist affirmed, while another modestly stated that there was little needed but a legislature. "I incline to think," he wrote, "that this is all the learning necessary to moddle a govern-

ment." One Massachusetts town resolved that "we do not want any Govinor but the Govinor of the Universe and under him a States General to consult with the Wrest of the U. S. for the good of the whole." As for a judiciary, the same town advised each town "to Chuse a Comittee . . . of judges Consisting of a number of wise understanding and Prudent Men that shall jug and Detarmin all Cases between Man and Man." Benjamin Hichborn of Boston told his contemporaries that civil liberty is "a power existing in the people at large . . . to alter or annihilate both the mode and essence of any former government . . . for any cause or for no cause at all, but their own sovereign pleasure."

The political doctrines of the Revolutionary period found expression in public and private discussion, in correspondence, in the press, and most important of all in public documents and state papers. So far as theory was concerned, the most famous statement occurs in the Declaration of Independence. Other famous expressions of this same doctrine were included in the state constitutions adopted during the Revolution. For instance, the Virginia Bill of Rights furnished a model for other states to follow. This famous document declared:

Bills of
Rights

That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.

That government is, or ought to be instituted for the common benefit, protection, and security of the people, nation or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and that when any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable and indefeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

The constitution of Vermont proclaimed the same principle, in the very same words.

In similar fashion the constitution of Massachusetts explained that the purpose of government was to safeguard the existence of the body politic, and to uphold the rights of the people; "whenever these great objects are not obtained, the people have a right to alter the government and to take measures for their safety, prosperity, and happiness." Furthermore, the same constitution continued, "the people alone have an incontestable unalienable and indefeasible right to institute government; and to reform, alter or totally change the same, when their protection, safety, prosperity and happiness require it."

As the revolutionists reduced political theory to its lowest terms, so they likewise became suspicious of wealth and learning. Newspaper articles warned the people to beware of "men of liberal education," and to refuse to vote for lawyers, doctors, or even ministers. "Choose men that have . . . learnt, that as government hath heretofore been administered, it was only a

meer machine in the hands of the rulers to plunder the commonality. Choose men that have learnt to get their living by honest industry, and that will be content with as small an income as the generality of those who have to pay them for their service."

This attack upon men of wealth and learning brought results in the form of a lower level of ability and intelligence in some legislative bodies. Certain members of the Massachusetts House of Representatives, elected in 1775, so Elbridge Gerry wrote, "might have lived till the millennium in silent obscurity, had they depended on their mental qualifications to bring them into public view." And according to report, James Otis, for some time insane, in one of his lucid intervals gave forth the following terse comment on the men who were in charge in Massachusetts in 1777: "When the pot boils, the scum will arise."

Character of
Public
Officials

For several years after the Revolution observant citizens found cause to lament the changed character of their public officials. Jeremy Belknap of New Hampshire called attention to "the deficiency of persons qualified for the various departments in the Government. . . ." And the elderly David Jarrett of Virginia declared: "My age enables me to know that the people are not now by half so peacefully and quietly governed as formerly; nor are the laws, perhaps by the tenth part, so well executed."

And yet in spite of the widespread popularity of this spirit which ran so close to anarchism, the American people made surprising constructive achievements. In Pennsylvania the elements that had long been struggling for recognition before the Revolution seized the opportunity to gain political power; in 1776 they overthrew the proprietary government and set up a new one of their own. In this the western counties received their due share of representatives. The same movement toward a rearranged political and social order could be observed in many of the colonies. In Virginia, to take another conspicuous case, Thomas Jefferson and his associates from the piedmont broke the power of the tidewater aristocracy for all time. The Revolution provided the democratic representatives of the inland counties with an opportunity for abolishing the law of entail, and for disestablishing the Episcopal Church.

State
Government

In this atmosphere of change and reform the people attacked the problem of reorganizing their state governments, to bring them into harmony with new conditions. In Massachusetts the provincial congress gave way to a new House of Representatives in 1775, and until 1780 the state was governed under the old charter of 1691. The office of governor was declared vacant, the House of Representatives was restored, and the council took charge of executive work. Before the adoption of the Declaration of Independence, New Hampshire, Virginia, and South Carolina, in addition to Massachusetts, had set up governments independent of the Crown. By 1780, when Massachusetts adopted a new constitution, eleven out of the thirteen states had put their political affairs upon a new foundation. Connecticut and

Rhode Island both continued their government under their charters. They had been virtually independent republics before 1775, so there was really little need of change.

So far as was possible these new governments retained the features of the old. The elective branches of the legislatures were increased in size, to provide for a more equitable representation, but their powers and functions were not seriously altered. The members of the upper houses were thenceforth elected by the voters in most of the states. In Maryland they were chosen by electors, in Georgia by the lower house. The executive underwent an even greater change. In all the New England states the governor was elected by the voters; in New York by the wealthy voters, and in the other states by the legislatures, except in Pennsylvania for a time, where they substituted a plural executive for the governor.

Theoretically the new state executives had less authority than their royal or proprietary predecessors; actually there was little difference. To be sure, the executive was carefully hedged about with restrictions, so that he could never overawe the legislature. But in practice, during the later colonial period, the assemblies had gained power over the governors. What the states really did in shaping the powers of their executives was to leave them pretty much as colonial practice had made them.

Because of long political experience, the people had comparatively little difficulty in working out a satisfactory system of state government. The question of a national government, however, was more complicated. In the colonies there had never been any genuine, widespread, deep-rooted desire for union; in fact, the desires generally looked the other way. The failure of the Albany Plan of union had illustrated this attitude. Local pride was strong, and confidence in the local legislatures even stronger. These were close at hand, within easy reach, and they could be used as bulwarks against oppression from without. Even at the approach of war, preferring still to rely upon themselves, the states made no serious efforts to organize an effective national government. The first and second Continental Congresses were legally nothing more than meetings of diplomatic agents sent out by the states.

National
Government

The Second Continental Congress had convened at Philadelphia early in May, 1775. Although they had no specific authority to do so, the members immediately assumed the prerogatives of a central government and proceeded to act as the pressure of circumstances required. They raised an army and took charge of the conduct of the war. They raised money, not by taxation, but by the simple expedients of the printing press and borrowing. They made regulations covering foreign commerce and they entered into diplomatic relations with foreign powers, particularly France. Thus the Congress performed the functions of a general government for the states.

The only previous American experience with a regular central government had been derived from the connection with the British Empire. Great

Britain had made experiments with the issue of central control, and these had not been cordially received. To a large extent the Revolution resulted from the British determination to establish a central authority over the colonies; such being the case, the Americans could hardly be expected to do at once for themselves the very thing they had forbidden Great Britain to do for them. Neither Patrick Henry nor Samuel Adams saw any good in building up a power over and above their state legislatures.

But it was one thing to argue in abstract terms about the dangers inherent in a superstate and a very different one to attempt to conduct a war without the proper machinery. Thus the very effort to prevent the establishment of one central government made necessary the establishment of another. In June, 1776, Congress appointed a committee to draw up Articles of Confederation. The committee presented its report on July 12, and then in November, 1777, after nearly a year and a half of debate, and with many misgivings, Congress submitted the Articles to the states. Ratification was not completed until 1781, the last year of active fighting.

In framing the plan, and in the subsequent discussion, the American statesmen had to solve the puzzle which had been troubling the British Cabinet ever since the seventeenth century: that of the proper distribution of power. How much must the central authority have, and how little could the states manage to surrender? As the first few years after the war made plain, the Articles did not answer either of these questions satisfactorily.

Like the state constitutions the Articles of Confederation furnished important illustrations of Revolutionary political theory. The dominant note throughout is fear of a central government, even of one created by the Americans themselves. The purpose of the Articles, therefore, was to create a central government possessed of the minimum of power, and to safeguard state rights in every possible way. Under the Articles each state retained its "sovereignty, freedom, and independence and every power, jurisdiction and right, which is not by this confederation expressly delegated" to the United States. In the Congress provided for, each state might send from two to seven delegates, but no state could have more than one vote. The Articles gave control of foreign affairs to the Congress including, of course, matters pertaining to peace and war. The Articles also made Congress a court of last resort in disputes between two or more states. Congress could manufacture money, make rules for the Indian trade outside of state jurisdictions, operate a postal service, appoint officers and make regulations for the continental army and navy, and raise money—not, however, by means of taxation. For any action the vote of nine states was required, except for amendments, which required a unanimous vote. This provision made ordinary legislation difficult and legal change in the Articles impossible. It will be noted that the Articles did not provide for a separate executive or judiciary; Congress combined in itself the functions of the three traditional branches of government.

One of the strongest and most valuable features of the Articles was included in Article IV, which was designed "to secure and perpetuate mutual friendship and intercourse" among the people of the different states. All free inhabitants, "paupers, vagabonds and fugitives from Justice excepted," were given the privileges of free inhabitants of the several states. There was an important concept of nationalism here which was destined to be developed more fully in later years. Another important provision, found in Article V, guaranteed freedom of speech and of debate in Congress. Probably the weakest provision of the Articles was the one denying all powers of taxation to the Congress. The lack of authority to levy taxes made the government of the Confederation hardly more than a shadow.

The
American
Nation

To thousands of Americans the accumulation of problems which followed in the wake of the war seemed like a high price to pay for the privilege of quitting the British Empire. No conservative likes to see society turned even partly upside down, and except at extraordinary intervals the majority of people are conservative. As they watched incompetent upstarts attempting to manage the government, and as they saw their property carried away in a flood of paper money, with commerce temporarily stagnant and agriculture suffering, it is not surprising that longing for the comfortable times before the war should have tended to smother enthusiasm for liberty. Thus the economic and social by-products of the war tended to accentuate the problem of the Loyalists. No one can tell how many of these there were because numbers of Americans went through the external motions of conformity and so concealed their real views. The distribution of Loyalists varied greatly in the different sections. In the middle states they seem to have been clearly in the majority, while in New England and Virginia they were comparatively scarce.

The Loyalists

Bitter enough at the start, the relations between Whigs and Loyalists became steadily worse as the war continued. The open and avowed Loyalists showed their feelings by supporting the British troops whenever possible, and by enlisting in the British army. According to Van Tyne, New York alone furnished about fifteen thousand men for the royal army and navy. Also Loyalist militia units were organized and the rumor was that these companies in New York outnumbered Washington's whole army. Had the British government given more vigorous encouragement to this form of activity, the Loyalist troops might have been far more numerous.

Both the states and the Continental Congress laid down policies for destroying this sort of opposition. Although in the early days of the war attempts at conversion were common, these soon gave way to a policy of revenge and to what the Loyalists themselves described as persecution. Those who stayed at home were subjected to careful control, deprived of suffrage rights, and refused the privileges of citizenship if they would not take the oath of allegiance. They could not hold office, and they had no rights in court. No Loyalist could bring a suit at law, serve as a guardian, make a

will, buy or sell land, or serve on a jury. In order to make these restrictions more effective, the state legislatures passed laws prohibiting all speaking or writing against the patriot cause. It became a criminal offense to speak disrespectfully of Congress, to argue in favor of British authority in the United States, or to speak against the raising of troops for the war. Because spies were always at work on both sides, it became necessary to identify strangers, and every traveler had to carry a certificate of Americanism from Congress or from some duly authorized local committee. Innkeepers and stagedrivers were fined if they neglected to ask patrons to show their credentials. Tories, of course, could not get these certificates, so they were compelled to stay at home.

No government in time of war will tolerate the things which the Loyalists did, if it is strong enough to suppress them, liberty or no liberty. The more extreme Tories failed to appreciate the force of this principle; discreet people realized it and kept out of trouble. Some of the Tories left the states voluntarily, as did those who went to Nova Scotia with General Howe in 1776. Others were expelled by the state governments, and banished either for the duration of the war or permanently. This was accomplished in some places through the operation of state laws, in others through the application of tar and feathers. As they went, their property was confiscated, sometimes indirectly by a system of fines and special taxation, sometimes by direct seizure. For years after the war this question of Loyalist property remained to vex the country.

Of the more prominent Americans who changed sides after the war had started, General Benedict Arnold was the most conspicuous. In the early part of the war he had made a brilliant record in fighting against overwhelming odds. It was Arnold who prevented Carleton from reaching Albany in 1776, Arnold who turned St. Leger's expedition into a dismal failure in 1777, Arnold who deserved much of the credit for maneuvering Burgoyne into his blind alley at Saratoga.

When the British evacuated Philadelphia in 1778, Washington sent Arnold, temporarily incapacitated for active service, to take command in the city. While there he married a Tory wife—a society belle named Peggy Shippen—and apparently dazzled by the atmosphere of extravagance, spent money faster than was wise. Various accusations were brought against him, particularly to the effect that he was guilty of selling army supplies for his own private gain. There seems to be proof of considerable speculation on his part. It was partly because of these charges that Congress refused to allow certain claims of his in connection with his Canadian campaign early in the war, and Washington found it necessary to subject him to a reprimand.

Upset by all these difficulties, Arnold deliberately determined to betray the American cause. To this end he asked Washington for the command at West Point, the key to the American position in the North, and got it

without question, because Washington always had confidence in his military ability. Then he promised to surrender the place to the British commander, Clinton. His plans were uncovered through the capture of Major André, but owing to an unfortunate blunder Arnold himself was able to escape to the British lines. He was given a command in the British army and fought through the remaining part of the war on that side.

ECONOMIC PROBLEMS

The Loyalists were one of the major problems of the Revolutionary authorities. Another, almost equally important, was that of paper money. For the first five years of the war the American people transacted all business under the combined advantages and disadvantages of a rapidly depreciating paper currency. Other economic activities need to be considered against this background. The Americans adopted this monetary policy because of the pressure of circumstances; it was the easiest line to follow. The states and their agent, the Congress, were at war with the greatest power on earth, with no opportunity to select the best from a number of financial expedients. A mere glance at the financial situation in April, 1775, will show how desperate the American case was. The total amount of ready money in the country was small, amounting perhaps to \$22,000,000 in paper, with something between \$6,000,000 and \$12,000,000 in specie in addition. This was not enough to meet the ordinary demands of peace, and war then, as now, was expensive.

Monetary
Problems

Even under the best of conditions, governments have surprisingly few means of securing revenue. Reliance on taxation, the ordinary method, presupposes certain essential conditions which did not exist in the colonies in 1775. There must be an adequate volume of money in circulation together with general business prosperity, so that the people have incomes from which the levies may be drawn. When the Revolution broke out, the commercial sections of the country were thrown into a financial crisis because of the temporary interruption of the ordinary lines of trade. New England felt the loss of the fisheries and of the carrying trade, the middle states were shut off from their West Indian markets, and the southern states had difficulty in disposing of their tobacco, lumber, and naval stores. Suppose taxes were imposed; who could pay them?

Borrowing as a resource was at first almost as much out of the question as taxation. The business depression nearly destroyed the hope of domestic loans, while the subsequent depreciation of paper money made lending unprofitable. Then too the whole project was such a hazardous venture that for nearly three years no foreign government would come openly to the support of the Americans. Direct confiscation, except of course from the Loyalists, would not have been tolerated in any state at the time. Prevented, therefore, by circumstances from taxing, borrowing, or confiscating, the Revolutionary leaders were compelled to capitalize their single available

Resort to
Paper Money

asset: the hope of winning the war. The country had ample resources, and though these could not be converted into cash on short notice, they held out the prospect of future profits. If the country could win its independence, prosperity would be certain. This hope could be made financially available by means of paper money.

Moderate issues of paper would provide the necessary amount of money for general circulation; if kept within limits, no serious complications would arise. If the issues passed the limits of moderation, however, they would be automatically transformed into taxes with the widest possible incidence, if not into practical confiscation; depreciation would see to that. What the public might lose in depreciation would be counterbalanced by the gain to the government of means to finance the war. In this way the bitterness which heavy taxation or direct confiscation would certainly have engendered might be diffused over a relatively long period, so that it would never become dangerous.

Once the resort to paper had been made two courses were open. The various legislative bodies might have bound themselves to limited amounts, and pledged their respective groups of constituents to policies of future taxation sufficiently heavy to redeem the paper approximately at par. In that way such enormous drafts on faith and hope—the bills and notes were hardly more than that—might have been avoided, and the quantity issued might have been given a measure of stability. Or the assemblies might put out the paper with little or no regard for redemption, thereby making depreciation a certainty and repudiation inevitable. This was the alternative chosen. The quantity of notes in circulation steadily increased, and their value went down. Prices, of course, rose in proportion. The holders of the paper shouldered the loss. Those losses may have constituted a heavier burden of expense, in the aggregate, than would probably have been necessary under the other course, but this burden was distributed over several years, and over a larger part of the population. While taxation would have affected the property owners primarily, depreciation and repudiation took in everybody who held a single Continental or state bill or note. Although it would have been possible to devise more equitable schemes of taxation, no plan could have been more comprehensive in incidence. Once depreciation started, every holder of a bill found that it was worth less when he paid it out than when he received it.

During the era of paper money the Continental Congress issued approximately \$191,550,000. The state of Virginia put out even more, a grand total of \$224,250,000. This was the largest sum printed by any single state; Massachusetts came next with a total in the neighborhood of \$66,000,000. The other states issued enough to make impressive sums. With only two minor exceptions this mass of paper was entirely unsecured. Congress planned to have the states tax the people in order to redeem the Continental notes, but the states could not even redeem their own issues.

Depreciation was the inevitable consequence. How early it began no one can tell exactly, because the first recorded references to it are mere admissions of an existing fact. But there are suggestions of declining value even before the end of the first summer. On August 23, 1775, the General Court of Massachusetts found it necessary to provide by law that the state bills of credit were to be received by the public treasury, and in "all payments in this colony, without any abatement or discount, upon any pretence whatever." By the second summer, that of 1776, there was abundant proof of serious depreciation. In New Hampshire penalties were provided for those who should "directly or Indirectly receive or pay any of the Bills" of credit for sums less than the face value thereof; offenders were to be permanently barred from holding civil or military offices in the state, and to be fined £50 for each offense. The offering of goods for sale at lower prices for coin than for paper was likewise punishable by a fine of £50 for each offense. Similar laws were enacted in the other New England states.

Any wholesale issue of paper money almost necessarily results in the fixing of prices by law. Some of the state governments tried the experiment. Then the person who ventured to take two six-shilling notes instead of one for a bushel of wheat, for example, might find himself in jail. At the same time, doubts regarding the soundness of the paper money ceased, theoretically, to affect prices. If the law said the six-shilling note was the equivalent in value of a bushel of wheat, so it had to be. It seemed to occur to few that a law declaring a certain piece of paper worth a bushel of wheat would command no greater respect than a law declaring the same piece worth six shillings. Between 1776 and 1780 New England and the middle colonies tried various experiments with price fixing by statute. Difficulties of enforcement proved to be insuperable. Arbitrary prices can be imposed and upheld, but only by a government possessed of arbitrary power. There were no such governments in America during the Revolutionary War.

Price Fixing

As depreciation carried the value of the bills to ever lower levels, Congress and the state governments had only one expedient left, that is, repudiation. On March 18, 1780, Congress fixed the ratio of the Continental notes to specie at forty to one, thus reducing an obligation of \$200,000,000 to a mere \$5,000,000. Within a year Congress again put the ratio at 75 to 1, and shortly thereafter left the notes with no value whatever.

So ended the efforts to keep the Continental bills in circulation. The losses involved in this repudiation would have been staggering, had they been inflicted suddenly, but that was not the case. As the money passed from hand to hand the ordinary individual suffered little. The merchant, and even the laborer, could charge enough more to protect himself. The ones most seriously affected were those not actively engaged in labor or commerce, those dependent on incomes limited to a definite number of pounds or dollars. For those who could pass the bills of credit on to another victim without delay the paper structure was advantageous. As long as the output

Repudiation

of bills and notes continued, there was no burden of taxation. The governments were drawing their resources from depreciation rather than from revenue.

Franklin on
Finance

This fact was clearly understood and appreciated in Congress and elsewhere. On three different occasions between 1779 and 1781 Franklin with his customary lucidity explained the effects of a depreciating currency. Regretting that orphans, widows, and those dependent on fixed incomes were the chief sufferers, the Pennsylvania philosopher found compensation for this loss in the effects on society in general. The public debt, he declared, "is proportionably diminish'd with the Depreciation; and this by a kind of imperceptible Tax, every one having paid a Part of it in the Fall of Value that took place between his receiving and Paying such Sums as pass'd thro' his hands. For it should always be remembered, that the original Intention was to sink the Bills by Taxes, which would as effectually extinguish the Debt as an actual Redemption." A year and a half later, he wrote that "so much of the public debt has in this manner been insensibly paid, that the remainder . . . does not exceed six millions sterling." After watching the experiment of financing a war with paper Franklin became almost enthusiastic over the policy: "This Currency, as we manage it, is a wonderful Machine. It performs its Office when we issue it; it pays and clothes Troops, and provides Victuals and Ammunition; and when we are obliged to issue a Quantity excessive, it pays itself off by depreciation." The state notes were disposed of under laws designed to establish their value in terms of specie. At first there was a general tendency to adopt the Congressional ratio of forty to one, but this proved too expensive. In 1782 Virginia decreed a legal ratio of one thousand to one, and Georgia adopted the same ratio.

During this same period the American people seem to have been free of all taxes except for purely local matters. Certainly Congress levied no taxes, even though before 1781 it had as much authority to tax as it had to print paper money—that is, none at all. As for the states, with a few unimportant exceptions, they seem to have raised no money by taxation before 1781. After that, with the return to a specie basis, and with the tax acts calling for amounts within reason, the states made themselves familiar with taxation as a source of revenue.

On sober consideration the whole record of Revolutionary finance is extraordinary. At the end of a war lasting more than seven years, Congress, representing the national government, had a total debt of \$42,000,375 in coin. To this should be added the state debts incurred on account of the war, which in 1789 amounted to \$21,789,370, the sum actually assumed by the federal government under Hamilton's plan. Pitkin, in his *Statistical View*, estimated the total cost of the Revolution, in specie, at \$135,000,000. If this figure is reasonably accurate, and it is probably as close as any estimate could be, more than half the cost of the war was borne by the people at the time.

Some of the economic difficulties of the early part of the war can be attributed to the successful enforcement of the Continental Association. The sudden cessation of foreign trade hurt the merchants while the loss of employment indirectly dependent on commerce hurt the artisans and small shopkeepers. On the other hand, by 1780 foreign trade was flourishing once more, while farmers and laborers were profiting from the high prices in paper money. During the latter part of the war American merchants traded indirectly with England by way of the West Indies, Nova Scotia, or Holland, and in rare cases directly with British ports. There was also considerable commerce with the countries of northern Europe, with France, and with the West Indies. In addition to ordinary commercial transactions, privateering after 1779 furnished another means of employment for sailors and the ship-building trades, as well as generous income for the owners and merchants.

Revolutionary
Commerce

There was always an element of risk in this wartime commerce, but the shortage of imported goods and abnormally high prices made for heavy profits. The greatest gains went to those who were prepared to take a chance, generally younger traders with little experience. Some of the older and more conservative merchants seemed unable to adapt themselves to the situation. As a result there were numerous complaints of widespread differences in income, with some merchants getting rich and others almost on the verge of poverty. Easy profits and rapidly depreciating paper money encouraged liberal spending and widespread extravagance. Thomas Jefferson did not like the prevailing "disposition to luxury." Timothy Pickering, Federalist merchant and politician, wrote that "the citizens in general of the United States indulge a luxury to which before the war, they were strangers." James Warren of Plymouth, Massachusetts, commented unfavorably upon the "Balls, public and private entertainments, and feasts, more suitable to the effeminacy and ridiculous manners of Asiatic slavery. . . ." Joseph Orne wrote to Pickering: "I am weary to Death of this dreadful War it is attended with such irregular distribution of property, such Inversion of Order, such decay of Morals, so much public distress & private Extravagance, that a man who knows and wishes the real advantage of mankind cannot look on the whole without Pain—"

Speculation
and
Extravagance

In addition to much speculative overseas trade there was a profitable overland exchange of goods between New England and New York. New York provided wheat, beef, and pork, largely perhaps for the army, while Massachusetts and Connecticut sent numerous manufactured goods into New York and the middle colonies. This traffic was handled over the roads, with sometimes as many as two hundred wagons in one expedition. Because of its favorable location Hartford figured prominently in this business. Of all American commercial centers Philadelphia profited most heavily from the trade of the Revolutionary era. She had connections with both Europe and the West Indies, together with a number of enterprising merchants to

exploit these connections. Robert Morris, Thomas Willing, and William Bingham made themselves famous as merchants of this period.

Among the Americans who derived a living from the sea the whalers apparently suffered most, and the cod fishermen next. The British navy could interfere effectively with this type of effort. Farmers, on the other hand, outside the actual military areas, profited from the abnormally high prices in paper money. Private correspondence and newspapers alike reported that the more frugal countrymen were paying off their mortgages and raising their scale of expenditures at the same time. Their prosperity continued until liquidation began in 1780 and 1781; then the farmers suffered a drastic turn for the worse.

13

Independence Achieved

FINAL MILITARY ACTIVITIES

THE SIGNING of the Franco-American treaties of 1778 transformed the contest in North America from a merely local rebellion into a great international war; before it was over four powers of western Europe were directly involved: Great Britain on one side, with France, Spain, and after a time Holland on the other. The League of Armed Neutrality practically added at least four other governments to the list of England's enemies. French officials planned to send additional help to America at once. On April 13, 1778, a French fleet left Toulon for active service in North American waters. On his arrival there the commander, Count D'Estaing, at first attempted to capture or destroy Admiral Howe's squadron at New York, but he could not get his ships into the harbor. Then the French planned an attack upon the English force at Newport, Rhode Island. For this enterprise the American, General John Sullivan, and the French Lafayette would cooperate with D'Estaing's warships. But Sullivan's militia forces could not be collected in time for an immediate attack and by the time they were ready, Lord Howe suddenly appeared off Newport with a strong fleet. To avoid capture D'Estaing put to sea where his ships were badly battered by a heavy storm. Then he had to run into Boston for repairs.

French
Naval Help

The only appreciable result of the campaign around Newport—apart from the damage to the French vessels—was a tremendous burst of American wrath against the French. General Sullivan and his officers published a signed statement to the effect that the D'Estaing's withdrawal from Newport was injurious to French honor, contrary to the king's instructions, and detrimental to the interests of the United States. American newspapers gave publicity to the charge. In Boston a mob attacked a group of French sailors and one French officer died from wounds inflicted there. The New Englanders seemed to feel, as Vergennes put it later, that French help was the direct result of the merit of the recipient rather than of the generosity of the donor. This outburst of ill-temper over conditions for which the French were not responsible might have broken up the alliance at the start. But in spite of ample justification for resentment, Count D'Estaing remained both calm and courteous. He even offered to enlist as a colonel under Sullivan if by doing so he could contribute anything to the cause.

Subsequently New England's wrath subsided, while D'Estaing sailed to the West Indies. There he defeated the British squadron under Admiral Byron.

In the spring of 1779 the French planned to invade England. They and their Spanish allies collected a fleet of sixty-six ships, together with troops and supplies for a campaign on shore. Lafayette, who had temporarily returned to France, hoped to have a command in this venture. "The idea of seeing England humiliated, annihilated," he wrote, "makes me tremble with joy. . . . Judge then if I am eager to know whether I shall be the first to arrive on that coast, the first to plant the French flag in the midst of that insolent nation." Lafayette never realized this particular ambition; in October, 1779, the French abandoned the project.

The next step in the process of helping America was the dispatch of Rochambeau's army to America, to cooperate with Washington's troops outside of New York. This force of 5,500 French veterans landed in Rhode Island in July, 1780. They brought their own supplies of ammunition, clothing, tents, and even \$1,600,000 in coin. After some talk of attacking New York the French army went into winter quarters in Rhode Island. By the end of 1780 France had spent \$30,000,000 on the war, with no definite results except the defeat of Byron in the West Indies. Thus by the spring of 1781 the Americans seemed no nearer to independence than they had been in 1778, while the French government had moved much closer toward bankruptcy.

During these years 1780 and 1781 the British were trying a new plan of campaign. They still held possession of New York but their active operations were transferred to the South. Their purpose was to cut off individual states one by one and so re-establish their power over the whole Atlantic coastal area. In Georgia they actually succeeded, even to the extent of restoring the colonial form of government. The series of engagements there can hardly be considered as products of carefully thought-out plans. They were rather in the nature of heavy guerilla warfare. Under Morgan, Greene, "Light Horse Harry" Lee and other commanders, the Americans succeeded in gradually wearing down the British forces. In the spring of 1781 the hitherto more or less planless fighting began to approach a climax. At Guilford Court House, North Carolina, General Cornwallis came out with a technical victory over Greene, while Morgan defeated a British force at Cowpens. British numbers were so reduced that Cornwallis took refuge on the coast at Wilmington.

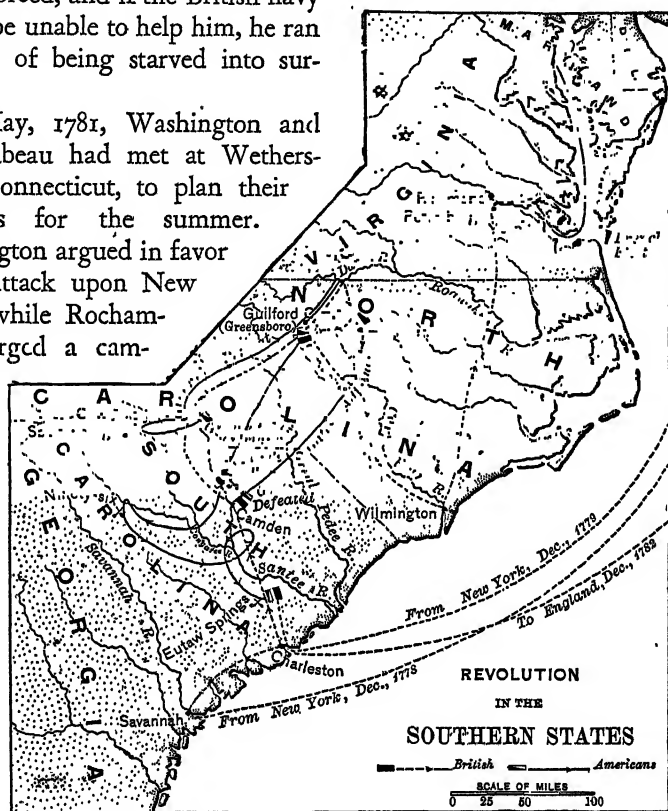
From Wilmington Cornwallis started on his expedition that ended the war. He determined to conquer Virginia, on the theory that it was the key to the whole South. A small army was already operating there, and he joined it with his own troops. His aim was to capture Lafayette, whose small force, hardly large enough to be called an army, had been facing General Benedict Arnold, now actively at work on the British side. At

French
Military Plans

War in the
South

first Lafayette was compelled to retreat; then reinforcements came to his rescue, and he gradually forced Cornwallis back to the coast. By the end of July, 1781, Cornwallis had fortified himself at Yorktown, where he was safe from any American troops then within reach, but from which there was no means of escape except by the sea. If the American troops should be reinforced, and if the British navy should be unable to help him, he ran the risk of being starved into surrender.

In May, 1781, Washington and Rochambeau had met at Wethersfield, Connecticut, to plan their activities for the summer. Washington argued in favor of an attack upon New York, while Rochambeau urged a cam-



MAP 12.

paign in Virginia, in cooperation with de Grasse, the new commander of the French fleet in American waters. The conference concluded with the approval of Washington's plan. But Rochambeau was not satisfied with the outlook, and he almost begged de Grasse to bring over more troops. Concerning the Americans Rochambeau wrote: "I ought not to conceal from you that these people are at the end of their resources; Washington will not have half the troops he counted upon, and I believe, although he conceals the fact, that he has not now six thousand men. . . . Such is the actual picture of the lamentable condition of the forces in this country. . . . It is, therefore, of the greatest importance that you take in your ships the largest number of soldiers possible."

Victory at
Yorktown

At this point, August, 1781, circumstances combined to make a campaign in Virginia essential. The British in New York received reinforcements, while the combined armies of Washington and Rochambeau could not muster more than ten thousand men; this force was too weak to attempt the capture of New York. On August 14 Washington learned that de Grasse with a large squadron was approaching Chesapeake Bay, with the design of helping to drive the British from Virginia. The American commander ordered Lafayette to prevent the escape of the British forces, and then he planned to take the Franco-American forces from the Hudson valley to Virginia. They reached Philadelphia on September 5, where they learned that de Grasse was already in Chesapeake Bay. Three weeks later the combined French and American forces faced the British under Cornwallis at Yorktown while de Grasse cut off the means of escape by sea. After a siege of seventeen days Cornwallis asked for terms. On October 19, 1781, he surrendered his army.

This victory in the South wrecked British plans for that section as completely as Burgoyne's surrender had in the North four years before. More than that, the British disaster in Virginia coincided in time with discouraging news from all parts of the world. In India the English hold was seriously threatened. In America Spain had driven the English out of Florida, and in the Mediterranean Spanish forces captured Minorca, and threatened even Gibraltar itself. De Grasse had raised so much havoc in the West Indies that England had nothing left there but Jamaica, Barbados, and Antigua. Added to these outright losses there was chronic trouble in Ireland, made worse, of course, by the encouragement which the Irish got from the rapidly accumulating British disasters. To make the situation still more complex, Austria and Russia were pressing their services upon the belligerents, in an effort to bring about peace by negotiation.

NEGOTIATIONS FOR PEACE

Early in 1779 Congress had appointed a committee to formulate terms of peace. After some six months of work, the committee submitted its first report. In this preliminary statement the members of the committee laid claim to both the Northwest and the Southwest territories as far as the Mississippi River. Then they asked for free rights of navigation on the river, and for the right of deposit at its mouth—that is, the privilege of landing and storing goods temporarily, without payment of duty. Then they called for confirmation of American fishing rights off Newfoundland. Congress appointed John Adams as its agent for the purpose of negotiating peace on these terms.

The French ministers at Philadelphia, first Gérard and then Luzerne, tried successfully to prevent Congress from endorsing the committee's report. In connection with this work both French ministers admitted they did not confine themselves to the methods merely of moral suasion. Thomas Paine,

American
Objectives

author of *Common Sense*, then serving as secretary to the Congress, had been notoriously anti-French in his writings. Gérard wrote Vergennes that in return for the consideration of one thousand dollars per year, Paine promised to use his pen to help the French cause. Then Luzerne wanted the support of General John Sullivan, who had just been elected to Congress; again, so Luzerne reported to Vergennes, the price was one thousand dollars per year. In commenting upon his success with Sullivan, Luzerne wrote: "This delegate has shown in this affair equal patriotism and attachment for the alliance."

French
Intrigue

Concerning the fisheries the French held that it was a matter outside the range of the alliance but they took a position opposed to American interests. Vergennes himself wrote that the rights off Newfoundland "belong exclusively to the British." Gérard explained the French position in the following words: "I told them that I was convinced that England would grant them the fisheries by the same title as that by which they had previously held them, to wit, as subjects of the British crown, but that they had no need of the aid of France for that arrangement."

As for the western territories, Vergennes was more sympathetic with Spanish ambitions in that quarter than with American. Gérard told members of Congress that the French king would not prolong the war for a single day in order to promote American conquests beyond the mountains. In 1781, before the American victory at Yorktown, Vergennes practically agreed to accept peace on the basis of the existing situation. Such an arrangement would have left Georgia, parts of Virginia, and New York City in British hands, and would have barred the Americans from all parts of the West except perhaps the Illinois country. Fortunately the success at Yorktown altered the situation and no such sweeping sacrifice of American rights was carried out.

Then, because Vergennes did not like John Adams, the French minister to the United States urged the appointment of a group of commissioners. Again Luzerne was successful. In 1781 Congress appointed a commission of five to negotiate peace: Adams, Franklin, Jay, Jefferson—who did not go to Europe in time for the negotiations—and Henry Laurens.

Because of pressure tactfully applied by the French agents, Congress modified its original demands concerning peace. When the instructions were prepared for the American commissioners, they were bound by only two specific orders: to secure recognition of independence and to preserve the French alliance. Demands for the fisheries and for western territories were dropped. But the commissioners were instructed "to make the most candid and confidential communications upon all subjects to the ministers of our generous ally, the king of France; to undertake nothing in the negotiations for peace or truce without their knowledge or concurrence; and ultimately to govern yourselves by their advice and opinions."

Beginning in April, 1782, Franklin began informal conversations upon the

Negotiations
at Paris

subject of peace with the British agent, Richard Oswald. Oswald was a retired merchant, well acquainted with American affairs, and a friend of Franklin in days before the war. Unofficially and orally Franklin made it clear that the British must grant complete, unrestricted independence to the thirteen states; Canada must be restricted to the St. Lawrence valley; and the British must recognize American rights to the fisheries. When it appeared that the British ministry opposed an immediate recognition of American independence, Franklin made no further advances and waited for the arrival of John Jay. He reached Paris from Spain in June, 1782.

Oswald's first commission authorized him to deal with representatives of the American "colonies or plantations," thus leaving the essential matter of independence to subsequent negotiations. When Franklin and Jay consulted Vergennes on this issue, Vergennes advised them to ignore the form of Oswald's commission and to begin negotiations with him. Franklin was at first inclined to accept Vergennes's advice, but Jay insisted upon British recognition of independence before any discussion of other matters. Franklin and Jay together then explained to Oswald that his commission must authorize him to deal with representatives of the United States.

Jay's Influence

During his residence at Madrid Jay had learned of Spanish ambitions in the Southwest, east of the Mississippi, and he became convinced that Vergennes would uphold Spain. His suspicions that Vergennes could not be trusted to support American claims were strengthened when the British gave him the translation of a letter from the French legation in America to Vergennes. The writer, Marbois, advised Vergennes not to endorse American claims to the Newfoundland fisheries. Next one of Vergennes's agents, Rayneval, proposed to Jay that England be left in control of all American territory west of the Alleghenies and north of the Ohio, and that Spain have most of the southwest territory. Soon afterward Jay learned that Rayneval had gone to England. In view of all these indications of French support of Spain, Jay believed that Rayneval's purpose was to commit England on two policies: to exclude Americans from the fisheries and to bar them from most of the West. These suspicions were not far from the truth.

Jay put his suspicions together and decided that the time had come to act. On his own responsibility he induced an Englishman, Benjamin Vaughan, to go to England for the purpose of securing a new commission for Oswald. He argued that it would be to the advantage of England to offer liberal terms to the United States, in order to break the tie between the new nation and France. Shelburne, in charge of British foreign affairs, saw the logic of the argument and in issuing new instructions the commissioners were authorized to treat with representatives of the United States.

Successful in persuading the British government to alter Oswald's instructions, Jay took up the work of formal negotiations. Because of illness Franklin did not participate in these discussions. By October 5, 1782, Jay

had completed the draft of a proposed treaty. Shortly afterward John Adams arrived in Paris. In the subsequent discussions he emphasized American demands for the fisheries.

The first draft of the treaty between England and the United States was completed in November, 1782. Its terms were so liberal to the Americans that Vergennes observed: "You will remark that the English buy a peace rather than make one. Their concessions on the boundaries, the fisheries and the loyalists, exceed all that I believed possible." Once the work was done, Vergennes's manner suggested hurt feelings rather than anger. "You, as well as I," he wrote Luzerne, "will surely applaud the extensive advantages which our Allies, the Americans, have obtained by the peace, but certainly you will not be less surprised than I was at the action of the commissioners. . . . The American commissioners will not say that I have sought to interfere, and still less that I have wearied them with my curiosity. They hold themselves carefully aloof from me. . . . If we can judge the future by what we have just seen, we shall be poorly repaid for what we have done for the United States of America."

Vergennes
Disapproves

Two weeks after he had word of the signing of the preliminary treaty Vergennes unburdened himself to Franklin: "I am at a loss to explain your conduct and that of your colleagues on this occasion. You have concluded your preliminary articles without any communication between us, although the instructions from Congress prescribe that nothing shall be done without the participation of the king. . . ." But Vergennes had no reason for being disturbed over the course of negotiations. He had previously approved the course which the Americans followed, that is, of carrying on discussions with the British commissioner. As soon as the preliminary draft was completed, the Americans gave a copy to Vergennes. They had not made a secret peace, but had merely carried on separate negotiations.

The definitive treaty between the United States and Great Britain was signed on September 3, 1783. Because it provided the formal legal basis of American independence it is one of the most important documents in American history. Article I recognized the thirteen States as "free, sovereign and independent." Article II defined the boundaries in such a way that the United States received both the Northwest and the Southwest territories. The western boundary was fixed at the Mississippi, the southern at the thirty-first parallel of latitude. The northern boundary was drawn in complicated terms, but it left Maine as a part of Massachusetts. The line then ran along the present northern borders of New Hampshire and Vermont. From Vermont it followed the forty-fifth parallel to the junction of this line with the St. Lawrence River, thence along the river and the middle of Lakes Ontario, Erie, Huron, and Superior. From Lake Superior the boundary went to the Lake of the Woods and thence to the Mississippi. Article III gave the Americans the right to take fish not only off Newfoundland, but in the Gulf of St. Lawrence and "at all other places in the

Treaty of
Peace

sea where the inhabitants of both countries used at any time heretofore to fish." The Americans also received "liberty" to dry and cure fish on certain specified territory, as long as it should remain unsettled. Article IV provided that creditors on both sides "shall meet with no lawful impediment to the recovery of the full value in sterling money, of all *bona fide* debts heretofore contracted." Americans who had gone through the motions of paying their debts in depreciated paper might find themselves called upon to pay real money. Article V provided that Congress "shall earnestly recommend" to the States that they restore all Loyalist rights and properties. Other provisions covered such matters as the restoration of prisoners of war, and the withdrawal of British forces "with all convenient speed and without . . . carrying away any negroes or other property of the American inhabitants" from all territory awarded to the United States. The right of navigation on the Mississippi River from mouth to source was guaranteed to citizens of both countries.

Position of
Spain

The British signed separate treaties with France and with Spain. Great Britain restored Florida to Spain, but the treaty did not define the boundary. Subsequently Spain was inclined to stretch Florida so as to include a substantial portion of the southwest territory. Also Spain controlled the mouth of the Mississippi, therefore her agents could practically nullify the provision regarding British and American navigation of the river.

The Treaty of 1783 gave the Americans practically all that the Congressional committee had asked for in 1779: independence, the West, and the fisheries. There were possibilities of future development here which almost staggered the imagination, and these possibilities were not lost upon the trained diplomats of Europe. The Spanish ambassador to France at this time wrote: "This federal republic is born a pigmy. A day will come when it will be a giant; even a colossus, formidable to these countries. Liberty of conscience, the facility for establishing a new population on immense lands, as well as the advantages of the new government, will draw thither farmers and artisans from all the nations. In a few years we shall watch with grief the tyrannical existence of this same colossus."

Effect upon
France

What did France get out of the war? She had the satisfaction of seeing England lose thirteen of her colonies, at that time a substantial portion of her empire. But England had not been beaten as decisively as France in 1763, and relatively her losses were far less serious than those of France at the close of the Seven Years' War. The war proved the soundness of Turgot's warning; France came out of the struggle bankrupt, and within six years she found herself plunged into a revolution more far-reaching in its consequences than the American war. Influential Frenchmen must have wondered at times whether their policy of helping the United States had not been a blunder.

Those interested in history in its speculative aspects might attempt to measure the value of French contributions to American independence. Could

the Americans have won their victories alone? It is possible that the British might eventually have let the colonies go by default; on the other hand it is also possible that without French help the Americans would have been compelled to give up the fight from sheer lack of essential supplies. By 1780 the states and Congress had exhausted the resources of paper money; French loans and French gifts filled the gap left by the collapse of paper credit. The French fleet under de Grasse prevented Cornwallis from escape by sea, while Rochambeau's army was the decisive factor which made it impossible for the British to slip away by land, into North Carolina. These factors combined with American forces to make the thirteen colonies independent.

Problems of the Frontier, 1783-1789

WESTERN ISSUES

FOR TWENTY years before the treaties of 1783 were signed Americans, British, and Spaniards had been interested in the region between the Alleghenies and the Mississippi. This interest continued after the war. The treaties which closed the Revolutionary War defined the boundaries and established legal titles to this territory, but they did not settle all the problems connected with it. Many of these remained to plague the American people and their Congress. Some of the problems were concerned with foreign intrigue with the Indians and with foreign claims on territory to which the United States had an indisputably clear legal title. Others had to do with settlement, land policy, and government. Altogether they were complex enough to tax the capacity of the most experienced statesmen.

For a time it had seemed possible that these western territories, instead of being a source of strength for the United States, might prove to be a cause of controversy among the states. Fortunately this particular danger had been removed before the end of the war. At the close of the colonial period several colonies had claims to western lands, and some of these claims overlapped. When George Rogers Clark led his men into Kaskaskia and Vincennes he was serving under a commission of the state of Virginia, not of Congress. If Virginia conquered some of the key positions in the West and if Congress did nothing there, to whom did the region belong? Then the states which had no western lands were jealous of those which did. The possessors of outlying territory had a rich source of revenue which would give them great advantages over their less fortunate sister states. They could keep taxes low and so attract settlers from states where taxes were high. During the early part of the Revolution the state of Maryland made an issue of this western land business, and her delegates in Congress refused to approve the Articles of Confederation until all the states should cede their western possessions to the United States. Then the national government would profit from any land sales and the proceeds would benefit the American people as a whole.

After considerable delay New York and Connecticut agreed to turn their claims over to Congress, and soon afterward Virginia gave up her lands north of the Ohio River. This action removed the fears of the Marylanders

and in 1781 Maryland ratified the Articles of Confederation. The other states gave up their claims to Congress. Thus the western territories became the common property of the United States and this public domain furnished a powerful bond of union. For the future prospective settlers would look to



MAP 13. TERRITORY OWNED OR CLAIMED BY THE THIRTEEN STATES IN 1783.

Congress rather than to the states for protection and possibly for assistance in their plans for developing the West.

This question of ownership of the national domain had hardly been settled in favor of the United States, when a new danger appeared. The first draft of the treaty of peace between England and the United States had been completed in 1782 and its terms were known to all interested parties. The Northwest Territory would become the possession of the United States. Although this region was practically unsettled, it had great economic

and strategic advantages. Fur traders in the area brought their valuable commodities to British agents and the military posts had become centers of an important trade with the Indians. These posts were so located as to control the portages, or stretches of land over which the trappers and Indians had to carry their canoes between lakes and rivers. The possessor of these posts would be able to control the fur trade, the Indian trade, and also to dominate the Northwest. The provisional draft of the Treaty of Peace proposed to put the Americans in possession of these great advantages. Eight of these Northwest posts were of outstanding importance. Two of them guarded the route between Montreal and Lake Champlain: Dutchman's Point and Pointe au Fer. Three others controlled the upper St. Lawrence and Lake Ontario: Oswegatchie, Oswego, and Niagara. Fort Erie guarded the eastern end of Lake Erie, while Detroit was the key to the passage between Lakes Erie and Huron. Michilimackinac covered the entrances to Lakes Huron, Michigan, and Superior.

Beginning in 1782, before the negotiations for peace were completed, interested parties in Canada sent memorials to the authorities in England, pointing out the advantage of the fur trade, the economic and strategic importance of the posts, and the need of Indian help in retaining the territory and these essential forts and posts. At first these memorials seem to have been ignored, but in 1783 action was taken which made their retention by the British almost imperative. The governor of Canada, General Haldimand, promised to keep the Indians of the region supplied with such necessities as arms, munitions, clothing, and food, thereby making and keeping them dependent upon British agents. The posts were the only centers from which these supplies could be distributed.

Although the Treaty of Peace called for the surrender of all territory awarded to the Americans with "all convenient speed," the British made no preparation for withdrawal. On the contrary, when General Lincoln, the Congressional Secretary of War, tried to send agents among the Indians, British officers prevented these agents from having any communication whatever with the Indians. In August, 1783, Baron Steuben went to Haldimand to arrange the details of the British evacuation, in accordance with the terms of the treaty. Haldimand informed Steuben that he had received no orders to withdraw his forces and that he could not turn the posts over to the Americans without specific instructions from England. Furthermore, Baron Steuben was not allowed to go near the posts. In 1784 the British Cabinet approved Haldimand's refusal to give up the posts, justifying this amazing decision on the alleged refusal of the Americans to comply with the terms of the Treaty with reference to British debts and the Loyalists. This reason was a mere pretext, because the British had decided upon the policy of holding the posts before they had any real evidence as to whether the Americans could or could not comply with their obligations under the treaty. To make matters worse the British gave encouragement to the

Britain
Controls the
Northwest

Furs and
Indians

Indians in the Northwest in their hostile attitude toward the Americans. Then in 1787 the new governor, Lord Dorchester, received specific instructions to hold the posts at all costs. If the Americans should succeed in their efforts to take them by force, Dorchester was authorized to recover them at once and to use the Indians as allies in preventing the Americans from taking possession of their own territory. The chief reason for this violation of the treaty was the fur trade, the richest single branch of commerce in North America. The center of this trade was at Montreal, with England as the final market. The furs themselves were secured mostly from the Indians, and more than half the annual supply came from the tribes living south of the newly established boundary. If the terms of the treaty were carried out without some arrangement for controlling the trade, all that on the American side would eventually be diverted to Albany and New York, and Canada would be ruined.

Another explanation of the British course is to be found in the Indian problem. Most of the tribes had fought against the Americans during the war and they looked upon their transfer to their enemy as an act of bad faith on the part of England. English Cabinet members, British officials in Canada, and British agents at the posts all sympathized with the Indians and encouraged them in their hostile attitude toward the new nation. The British thus placed their obligation to the Indians above that to the United States.

Neither inability to secure their rights in all parts of the Northwest nor the threat of Indian warfare kept pioneers from going into the West. Prospective settlers were beginning to look toward the Northwest. As for the Southwest, settlement in that quarter had begun actively before the Revolution and it continued through the war and afterward. This movement of population into the West and the transformation of the wilderness into new states proved to be among the most valuable of all contributions to national greatness. These settlements, which were founded beyond the direct range of the thirteen original states, were remote from Europe not only in distance but also in the character of their civilization. As the late Professor Turner said: "The frontier with its continuous influence is the most American thing in all America."

The occupation of the West was in principle like the building of the thirteen colonies, only it was carried out on a larger scale. In many ways the achievements of the American people in occupying the extent of the present United States were greater than those of the English in settling the Atlantic seaboard. In fact, it would be hard to find in all history a comparable story of expansion. New settlement succeeded new settlement with bewildering rapidity, and millions of square miles of wilderness became civilized country. There is, of course, one obvious difference between this American colonial movement and that of the British during the seventeenth and eighteenth centuries. British colonies were all overseas, three thousand

The
Southwest

miles and more distant from the mother country, whereas the area of American colonization was always just beyond the range of settlements already in existence.

Sometimes the relations between colonies and mother country became unpleasant because of disputes over matters of government and colonial policy. American colonists for example had found fault with British efforts to impose taxes, to regulate trade, or to change established customs. The colonization of the American West was almost free from such controversies. For one thing, when the first settlements beyond the mountains were made, the older states were too deeply involved in the dispute with England to concern themselves seriously with the affairs of a few backwoodsmen in the wilderness. These first pioneers had no trade worth regulating. When the settlements became large enough to create problems of government, the United States adopted a satisfactory policy for controlling them.

Routes to the
West

Before the Revolution land companies and individual speculators were already awakening to the value of these Indian lands. Explorations conducted before the last French war had revealed the best approaches to them. The easiest route of all, that by way of the Mohawk valley in central New York, was almost closed during the period of the Revolution because the Iroquois Indians supported the British. But in Pennsylvania venturesome travelers could proceed by way of the Susquehanna River, and in Maryland they could go by way of the Potomac, and without undue difficulty reach the forks of the Ohio. Farther south, through western Virginia, it was not hard to reach the headwaters of the Cumberland and Tennessee Rivers, and so to find natural highways into what is now Kentucky and Tennessee.

Tennessee

In 1769 settlers moved into the northeastern region of Tennessee and founded a colony on the Watauga River. The first arrivals came from Virginia, but in the course of the next three years they were joined by pioneers from North Carolina, many of them members of the defeated party in a local contest in the state, known as the "war of the regulators." The leaders in this Tennessee colony were James Robertson and John Sevier, both of whom came from Virginia. According to tradition; in 1772 these settlers on the Watauga drew up an agreement or "association" somewhat like the covenant of Plymouth, under which they adopted a simple form of government for themselves.

In January, 1775, Judge Richard Henderson of North Carolina and nine associates organized the Transylvania Company. In March this concern made a treaty with the Indians at Sycamore Shoals, buying from them the whole of present-day Kentucky and part of central Tennessee. The company hired Daniel Boone to mark a trail from Virginia to Kentucky. Boone's Wilderness Road followed the eastern slope of Cumberland Mountain, and then turned northwest through Cumberland Gap. Henderson himself joined Boone at Boonesborough in the spring. James Harrod had already started a settlement slightly west of Boonesborough, while another

group had founded Lexington. In May, 1775, the little communities chose a representative assembly to make laws for their new colony. Judge Henderson and his Transylvania associates counted on the establishment of a permanent settlement which should be independent of both Virginia and North Carolina. But the state of Virginia claimed jurisdiction over the whole of Transylvania, and in 1776 the state organized the region as Kentucky County.

Disappointed in his first attempt to create and to control a new colony in Kentucky, Henderson, together with James Robertson of Watauga and 250 settlers, signed the Cumberland agreement. In 1780 this group founded Nashborough—or Nashville as it soon came to be called—on the Cumberland River. These pioneers in Tennessee evidently regarded themselves as under the jurisdiction of North Carolina, because Robertson represented the group in the legislature of North Carolina and in 1783 the Cumberland settlements were organized as Davidson County, North Carolina.

The people in the eastern section of Tennessee, dissatisfied with the policy of the North Carolina government, determined to form a new colony of their own. In 1784, under the leadership of John Sevier of Watauga, a convention of settlers organized the state of Franklin. The promoters of this ambitious program counted on a rapid migration into their new community, partly because of its favorable location, partly because of the democratic character of the government. After framing a constitution, the inhabitants called upon the Congress of the Confederation to recognize this new addition to the group of American states. But North Carolina still claimed jurisdiction over the territory, and in 1788 Franklin abandoned its experiment in independence. One memorial of this short-lived state, the town of Franklin, just north of the Georgia boundary, has survived to the present time.

In 1785, the year after the establishment of Franklin, John Jay was able to write that the movement of people into the Kentucky area was proceeding "with a degree of rapidity heretofore unknown in this country." In this very year reliable estimates placed the number of actual settlers at more than twenty thousand, and there were no signs that the tide was diminishing. This rapid growth of new settlements proved how farsighted the American peace commissioners at Paris had been in demanding the Mississippi as the western boundary.

Kentucky

The early settlements in Tennessee and Kentucky were a continuation of the westward movement which had begun in the seventeenth century. The migration into the piedmont had been comparatively easy, because there were no mountain barriers in the way. But the pioneers along the Kentucky, Cumberland, and Tennessee Rivers were almost isolated from the original states by long distances and nearly impassable roads.

For a time Kentucky was governed as a single county in the state of Virginia. But for several years there had been numerous indications, and

strong ones, that this rich farming area would not remain tied to the mother state indefinitely. In 1784 and 1785 the Kentuckians showed deep resentment at rumors that Congress, with Virginia's approval, might agree with Spain to deprive them of the right to use the Mississippi. At the time there was little patriotism in the sense of loyalty to the Confederation, and if Congress should be so shortsighted as to ignore the needs of Kentucky, the people of Kentucky could easily ignore Congress. There was a possibility that Kentucky might join with the new state of Franklin and form a western confederacy; or still another possibility that the western Americans might even join forces with Spain.

LAND POLICY AND GOVERNMENT

Colonial Land
Records

Prior to the year 1785 the westward movement had gone on with neither the help nor the restrictions of an established land policy. The pioneer found himself in a new territory, free from danger of immediate interference. As the first comer, he felt entitled to occupy the best land. Picking out the tract he wanted, he would lay off the bounds, generally by putting a few marks on prominent trees in the neighborhood. Only in rare instances did the settlers in Tennessee and Kentucky go to the expense of hiring a surveyor to define their lines. Having decided upon his claim, the newcomer would have it recorded by the county government—that is, when he found time to bother with such legal formalities. This was the system which had been followed previously in the older southern states and, as one might expect, confusion over land titles was inevitable. Boundaries which were supposed to form the common line between two holdings might overlap, or they might be hundreds of yards apart. Some trees selected as markers grew larger, while others died and crumbled in decay. Consequently, disputes over land titles began early and lasted late in the old South and in the new Southwest. The United States government discovered interesting examples of this confusion when it came to establish national parks in the South. So too did the Georgia Power Company when it bought the water rights along the Tallulah River in the mountains of northern Georgia. Titles were defective because of the casual manner of taking out claims in the beginning, and because of the absence of adequate surveys.

In early New England a different system had developed, one which left less freedom of choice to the pioneer, but which made for definiteness and precision in laying out bounds. The legislature granted clearly described tracts to groups of pioneers, who organized themselves into a town. They distributed the land among themselves, and had their shares surveyed and the titles recorded. As a result, the title to practically any piece of land in Massachusetts or Connecticut can be traced to the original grant.

As the original states gradually ceded their western land claims to Congress, that body recognized the importance of adopting a definite land policy. Among the members there were advocates of both the southern and the

northern practices. The one was popular because it involved no bother and no expense to anybody in the beginning; the other was the more desirable because it promised freedom from future litigation over titles. The system which was actually worked out resembled the arrangement in New England. In 1785 Congress passed the Land Ordinance providing for rectangular surveys of the public lands. The surveyors first selected a line running north and south, which they called the principal meridian. The one chosen was the present boundary between Ohio and Indiana. Then they picked a base line, running east and west, which of course crossed the meridian at right angles. From points six miles apart on the meridian the surveyors ran additional lines east and west, and in similar fashion lines north and south from points six miles apart on the base line. Thus the country was blocked off into squares, each containing thirty-six square miles. Each one of these blocks or squares was called a township. The township was subdivided into thirty-six sections, each one square mile—640 acres—in area. Section number sixteen in each township would be sold to provide funds for public schools. In this same law Congress arranged for the establishment of land offices, in which records of the surveys and sales could be preserved. Provision was made for selling the land at public auction, at a price not less than one dollar per acre. According to this ordinance, section number one in each township was to be sold as a unit, section two by lots, and so on alternately throughout the township. This alternate arrangement was to be applied to the whole public domain. The first surveys were made in 1785 and 1786.

Land
Ordinance
of 1785

Actual settlement in the Northwest Territory did not start until after the enactment of the Land Ordinance. Many of the earlier settlements in America had been made by stock companies, like the London Company, for example. Reference has also been made to the Ohio Company, and to similar organizations of the period of the Seven Years' War, which were engaged in exploiting the territory south of the Ohio. With opportunities as promising as were these in parts of the old Northwest, sooner or later a land promotion company would be certain to come forward to seize them. In Boston, in 1786, a new company known as the Ohio Associates was organized, composed largely of veterans of the Revolution. Some of the leading directors were General Rufus Putnam, General Samuel H. Parsons, and the Reverend Manasseh Cutler, a doctor of divinity and a Congregational clergyman. In his case theological training proved to be no barrier to successful land speculation.

Ohio
Associates

For six months or more, in desultory fashion, Congress had been discussing the problem of territorial government, without getting anywhere in particular. Then the Reverend Manasseh Cutler appeared before Congress with an attractive offer. If his company could be assured of a satisfactory form of government, it would buy one million acres of land. Congress was delighted. One million acres, at one dollar per acre! The astute

Northwest
Ordinance

Yankee clergyman, however, refused to offer more than sixty-six and two-thirds cents an acre, a figure which Congress reluctantly accepted. But Cutler was not prepared to pay cash. He would buy the land with soldiers' certificates, which were so badly depreciated that in currency his sixty-six and two-thirds cents actually was reduced to something less than ten cents. Finally he found it necessary to allow a number of prominent citizens, in and out of Congress, to take part in another speculation scheme, in which some five million acres were involved. Before the deal could be closed, two acts of Congress were necessary. Existing law did not permit the sale of individual tracts larger than a single section; this would have to be changed. Also Congress had not provided for any system of government for prospective settlers, and General Putnam and his associates insisted upon a proper form of government. In July, 1787, Congress authorized the sale of the large area called for, and then passed the Northwest Ordinance of 1787. In this brilliant, epoch-making measure three different political stages were provided for. During the first, while the population of a given district in the Territory was small, Congress would exercise complete control. It would appoint a secretary, a governor, and judges. These officials would have full authority over the district, subject to established legal principles and to Congress. They did not have power to make laws, but they could select any laws of any of the states which might serve the needs of their district. The second stage would begin when the population of a given district should include five thousand adult male settlers. Then the voters were authorized to elect a legislature, with power to make laws and to levy taxes; the Territory could also send a delegate to Congress. The right to vote was granted to each adult male, possessed of a fifty-acre freehold, provided he had been a citizen of any of the states and had resided in the Territory for one year, or if he had resided in the Territory for two years. Aliens therefore might enjoy suffrage rights. When the total population of the Territory should have increased to the number of sixty thousand, it would be ready for the third stage: admission to statehood in the Union, on terms of complete equality with the original states.

To safeguard the settlers against arbitrary or capricious action on the part of the government the Ordinance included a bill of rights. This section guaranteed complete religious freedom. It gave settlers the benefits of *habeas corpus* and the privilege of trial by jury. It guaranteed the right of bail, except in flagrant capital cases, and it provided for moderate fines, and prohibited cruel and unusual punishments.

Here was a colonial system almost ideal in character. It protected the settlers in their enjoyment of established civil rights and it gave them training in self-government. One of the defects of the British colonial system had been its failure to include any plan for raising the colonists from a position of inferiority to one of equality with the privileged ruling class in England. Under the American system the settlers could be sure of state-

hood, with all which the term implied, just as soon as their numbers warranted admission to the Union.

Cutler's own contribution to the Ordinance seems to have been not authorship, but inspiration. He furnished the incentive which drove other men to work. It is hard to tell who was really responsible for the document. Many of its provisions had been under discussion for several years, so they were common property, and the author was little more than an able compiler. Probably Nathan Dane had more to do with the form and phraseology than anyone else, and the credit may as well go to him. He and Cutler therefore would have the distinction of turning out one of the greatest of all American laws.

There was one more provision of the Ordinance which was destined to attract considerable attention at a later day. This was the prohibition of Negro slavery; it pledged the Northwest to an agricultural system based on the principle of free labor. The origin of this prohibition is not entirely clear. Nathan Dane wrote it, but Jefferson had suggested it in 1784. In fact, the hint was made at the time that in voting for the non-slavery principle, some southern members of Congress may have done so to deprive the Northwest of the advantages of slavery, in order to prevent it from becoming a competitor of the South. In any case in the greater part of the old Northwest, climatic and agricultural conditions were unfavorable to slavery, so it would probably have taken no firmer hold there than it did in New York and New England. It is worth noting that in 1791 all the provisions of the Ordinance of 1787 were re-enacted by Congress, in order that this colonial system might be continued by the new government. Under its satisfactory provisions, the United States spread its domain from the Appalachian Mountains to the Pacific coast.

Free Labor

The Ohio Associates bought 1,781,760 acres of land from Congress, and in 1788 General Putnam led the first permanent settlers into the Northwest Territory. They founded the town of Marietta. In the same year another group bought a large tract about two hundred miles farther west, and started a town which they called Losantiville. General St. Clair, who had been appointed governor over the whole region, disliked the name and changed it to Cincinnati, in honor of the society of veteran officers of the Revolution. Between Marietta and Cincinnati a third group of pioneers founded Chillicothe and still another laid the foundations of Cleveland, on Lake Erie. This eastern division of the Northwest Territory subsequently became the state of Ohio.

Settlement
of Ohio

Once reports were spread concerning the richness of the lands in the Ohio area, the movement of settlers became surprisingly rapid. Even in 1788 nearly a thousand boats carrying more than eighteen thousand people passed the site of Marietta on their way west. Every one of these new settlements was as important to the United States as colonial Jamestown or Plymouth or Boston had been to England. Here were offshoots in a new land, tied to

the mother country by bonds of language, tradition, and custom. Just as the American colonies held the promise of imperial greatness for England, so these western settlements foreshadowed a greater United States. Perhaps territorial greatness alone would not have been particularly important, but this kind of growth promised much more: the extension of the American system of government and American ideas of human rights into an ever-widening area. There were also economic advantages to be considered. Every new community in the West meant a market for manufactured goods which eastern traders were always ready to supply.

INTERNATIONAL COMPLICATIONS

Rivalry on the
Mississippi

The growth of settled communities on both sides of the Ohio River inevitably turned the attention of pioneers toward the Mississippi, the great natural highway of the central plains. The Mississippi furnished the only available route for exporting farm produce from the regions beyond the Appalachian barrier. It was actually cheaper and easier to ship goods from Pittsburgh to Philadelphia by way of the Ohio, the Mississippi, the Gulf of Mexico, and up the Atlantic coast than to send them directly east over the mountains. This was the case particularly for Kentucky and Ohio. Here was one reason why the Western settlers wanted undisputed rights to use the river. Another reason was to be found in the Indian trade, still largely in the hands of the French, with headquarters at St. Louis. The change of title to lands east of the Mississippi from England to the United States, and the change of title to lands west of the Mississippi from France to Spain—and back again to France in 1800—had left the French traders undisturbed. They received supplies from New Orleans. But the coming of Americans into the central valleys was bound to lead to competition, and the pioneers had no intention of leaving the French in control. As one means of protecting their growing trade with the Indians, the Americans demanded rights on the Mississippi.

Spanish
Policies

American migration into the Southwest had already alarmed the Spaniards, who were counting upon the region for themselves. They had claimed the right to conquer it from the British and they had been instrumental in preventing any French approval of American claims beyond the Alleghenies. In Madrid, from 1780 to 1782, John Jay had met with nothing but opposition from Spanish authorities. At the close of the Revolution England ceded Florida back to Spain, and Spain made plans to place as many obstacles as possible in the way of American expansion. As early as 1782 the government of King Charles III of Spain asserted its exclusive right to control navigation on the Mississippi River, obviously with the intention of preventing its use by the Americans. Instead of recognizing the American title to territory as far west as the Mississippi, Spain was determined to hold both sides of the river herself, at least the part south of St. Louis. In 1784 the Spanish authorities ordered the river closed to American navigation;

Americans caught on the Mississippi would be placed under arrest and their goods would be confiscated.

At the same time Spanish agents planned to bring the Indian tribes of Georgia and the Southwest under their jurisdiction. At a series of conferences between Spanish officials and three leading southern tribes: the Creeks, Chickasaws, and Choctaws, these Indians acknowledged the supremacy of Spain rather than the United States, and they agreed to exclude all traders except those holding Spanish licenses. The aim here was to create an Indian buffer state between Spanish possessions and the United States. Nevertheless Spain did not consider her policy as one of hostility; her agents wanted Indian trade, not war with the United States. In fact, the Spanish officials opposed Indian attacks upon American pioneers, and refused to provide arms which the Creeks wanted for such attacks. The Creeks did make war upon settlements in Georgia and also those on the Cumberland River, but the Spaniards were not responsible for these attacks.

In pursuing her policy of trade rather than war Spain began negotiations with the United States, for the purpose of settling outstanding differences. Of these the most important were boundary questions and American demands for rights of navigation on the Mississippi and of deposit at its mouth. To conduct these negotiations the foreign office sent over Gardoqui; John Jay represented Congress. The two representatives, however, were so far apart that agreement was impossible. Gardoqui's instructions prohibited him from granting any commercial privileges whatever to the Americans.

Negotiations
with Spain

Professor Bemis has shown how Gardoqui tried to create pro-Spanish sentiment in important American quarters by distributing liberal favors. He gave Jay a Spanish horse. He was particularly attentive to Mrs. Jay; as Gardoqui himself reported: "Notwithstanding my age, I am acting the gallant and accompanying Madame to the official entertainments and dances, because she likes it and I will do everything which appeals to me for the King's best interest." Then Gardoqui lent Colonel Henry Lee of Virginia the sum of \$5,000. The loan was never repaid. At Gardoqui's request the king of Spain sent George Washington a jackass, for breeding mules at Mt. Vernon.

In 1786 Jay and Gardoqui agreed upon the draft of a treaty, by which the United States surrendered, not her rights on the river, but the use of these rights for twenty years; in return Spain would grant limited commercial privileges. This indifference to the vital need of river transportation so angered the West and its friends that Jay did not venture to submit the document to Congress. While Congress through its representative was thus giving grave offense to the West, Spain was cautiously trying out a crafty scheme to sever completely the Southwest from the United States. Spanish officials decided to open the river to a few selected frontiersmen, and in this way to win them over, and through them the whole population. The few men chosen were to be allowed navigation rights on the river, and the right

Spanish
Intrigue

of deposit, while their less fortunate neighbors found the only means of outlet for their produce tightly closed.

The plan seemed feasible because of growing western discontent with Spanish commercial restrictions, and exasperation against Congress because of its inability to effect a change in Spanish policy. By suddenly granting privileges to key men in the West, Spain could show how completely dependent the West was on Spanish goodwill.

In working out the details of this program the Spanish agents had the cordial cooperation of General James Wilkinson, veteran of the American Revolution, and incidentally an unscrupulous schemer. In 1788 Wilkinson became a Spanish agent and took an oath of allegiance to the king of Spain. Beginning in 1792 he received a Spanish pension of \$2,000 per year, and this payment continued for thirteen years. Aside from Wilkinson's own personal profits, the only result of this intrigue was to keep alive a separatist faction in the Southwest. This pro-Spanish group never became strong enough to lead an actual secession movement, but for several years it did keep Congress uneasy. The danger was not averted until some years later when Kentucky and Tennessee were admitted to the Union, in 1792 and 1796 respectively, and when, in 1795, the United States and Spain agreed to a formal treaty.

Vermont

Although in no sense western, Vermont was a product of the colonization movement on the frontier. The early history of Vermont was influenced by a long controversy between New Hampshire and New York. In 1741 the king gave the region north of Massachusetts to New Hampshire. Then in 1764 the king declared the Connecticut River to be the eastern boundary of New York, north of Massachusetts. In the meantime settlers had moved into the region west of the Connecticut, having secured their land titles from New Hampshire. The colonial government of New York refused to recognize the validity of these titles, and insisted that the Vermont farmers buy their land over again from New York. This dispute, still going on when the Revolution started, was marked by considerable local violence, in which the "Green Mountain Boys" subjected agents of New York to rough handling. In 1777 representatives of Vermont met at Windsor, adopted a state constitution, and appealed to Congress for admission to the Confederation. Congress was not strong enough to offend both New York and New Hampshire, and the Vermonters were left to their own devices. One of these devices was intrigue with the British.

The economic connections of Vermont resembled in principle those of Kentucky and Tennessee. There was only one natural outlet for her produce, and that was by way of Montreal. Because Congress refused to give them what they asked for, the two Allen brothers carried on regular negotiations with the British looking toward possible relief from that quarter. Like the Southwest, Vermont was one of those detached sections, ready to turn to the side which promised the more satisfactory economic advantages.

Realizing how delicate the balance was, the Canadian government suggested the desirability of keeping Vermont independent, and of granting favorable commercial concessions. This problem was not settled until 1791, when Vermont, the fourteenth state, was admitted to the Union.

In these various frontier districts the feeling was largely the same. The United States was new, not able to command generous loyalty on the part of the original states, and still less among the pioneers. Their main concern was the prosaic one of getting a living, and their patriotism would be molded by the government which would make that task as simple as possible. Unable to occupy its own territory in the Northwest, seriously threatened with the loss of Vermont and the Southwest, and tormented by Spanish claims for an enlarged Florida, the government of the Confederation struggled with problems which it was not powerful enough to solve.

Although the Continental Congress could do little for these various frontier communities beyond giving them the Ordinances of 1785 and 1787, the settlers contrived not only to make a living for themselves but also to create impressive new communities. In 1790 Kentucky had a population of 73,677, Tennessee of 35,691. By 1800 Kentucky alone could boast a population of 220,995. During the early period of settlement the struggle for existence was hard and it tended to develop social customs like those in Virginia and New England in the seventeenth century. Furthermore, the conditions under which the frontiersmen lived gave rise to a homogeneous society. At first the most striking characteristic was loneliness. With a density of population of from two to six persons per square mile, there was little chance for social life in our modern sense. Cabin was separated from cabin by stretches of forest. A settler would clear a plot of land, raise a crop of corn and a few vegetables, and count on finding much of his food in the woods and streams. When new settlers appeared, those first on the ground would come together, perhaps from a radius of forty miles, and arrange a house-raising. The men would cut the logs and put up the cabin while the women provided dinner. When the cabin was finished, with its single room downstairs, with possibly a loft overhead, and with the chinks in the walls filled with mud or clay, it was not different from some of those still standing in the mountains of West Virginia, Tennessee, Kentucky, and Georgia.

Life on the
Frontier

Furniture in the cabins was as simple as the cabins themselves. Whatever the frontiersman could make with his few crude tools, he made; and that was all he had. A rough bench served as a table. Three-legged stools were more common than chairs. Beds lacked both springs and mattresses; but the daily life made the people weary enough to sleep soundly on boards covered with bundles of straw. Cooking was done over an open fire, hence the general popularity of the frying pan. A china plate was a rare treasure, kept more frequently, if owned at all, as a reminder of conditions left behind rather than for ordinary use. Pewter would last longer. Glass in

lack compensations and virtues. The frontier had no room for failures; they either returned to civilization or passed on to the next world. Those who survived were a hardy lot, toughened by their experience, self-reliant, vigorous, and strong-minded. Because the environment put all settlers on the same level, economically and socially, there was no room for those artificial distinctions between man and man which have been known in older places. Differences in rank could not exist. But with the second or third generation and the introduction of the customs pertaining to the older communities, social gradations soon appeared.

The frontier made another important contribution to American life in the direction of a stronger national feeling. In these new western communities there were representatives of many states and sections of the country. Marietta and Cleveland in Ohio were founded by pioneers from New England. Cincinnati was started by settlers from the middle states, chiefly New Jersey and Pennsylvania. Still a third group in Ohio came from Virginia. But this last contingent represented the small-farmer class in the piedmont rather than the great planters, Virginians who had no difficulty in adjusting themselves to the simple type of life and to the system of free labor which they found in their new homes. This mingling of Americans from all parts of the country was an important factor in breaking down the prevalent spirit of local state pride and in developing American loyalties.

National
Spirit on the
Frontier

Economic Problems and Shays's Rebellion

COMMERCE AFTER THE WAR

Independence
and Trade

DURING the era of growing opposition to British rule some American leaders had questioned the legal basis of the elaborate system for regulating colonial trade. Critics of this school professed to believe that independence would bring immediate and extensive gains in all branches of economic activity. They thought that once the Americans could be freed from the numbing influence of British policy they would be able to take full advantage of their vast resources and to develop more profitable commercial connections than they had ever known. In the long run this prediction was sound. But the advocates of freedom overlooked the temporary difficulties which were sure to accompany any change in the political structure. For a time these difficulties were peculiarly troublesome. In fact, the immediate accompaniment of political independence was economic confusion. The United States was still a new country, with only slight beginnings of industrial activity, and the American people were still producing foodstuffs and raw materials. The Revolution gave the Americans no new commodities for export nor did it greatly broaden their markets. As a foreign country the United States was outside the range of the English mercantile system—a status which had advantages for the future, but also some temporary drawbacks. Even though the Americans had become foreigners to the British, they still needed British markets; they also needed to purchase British manufactures, because they were the lowest priced in the world.

Pitt and the
Liberals

For a time the British authorities seemed inclined to be as generous in granting commercial concessions to their former subjects as they were in giving territory and boundaries. In March, 1783, the younger Pitt, Chancellor of the Exchequer, introduced a bill in Parliament for the purpose of admitting American ships and American commodities into British West Indian ports on the terms which prevailed before 1763. Pitt's bill also gave American ships their former privileges in the carrying trade. Two months later Hartley, one of the British peace commissioners at Paris, proposed that commerce between his country and the United States be established "on the most enlarged principles of reciprocal benefit to both countries." He even suggested a formal treaty providing "that all the citizens of the United States of America shall be permitted to import into, and export from, any

part of his Britannic Majesty's dominions, in American ships, any goods, wares, and merchandises" which had been so imported and exported before the war.

But Pitt and his fellow liberals found themselves opposed by a conservative group, of whom Lord Sheffield became the spokesman. Pointing out that the United States had become a foreign nation, Sheffield went on: "It is the situation she herself has chosen by asserting her independence. . . . By asserting their independence the Americans have renounced the privileges, as well as the duties, of British subjects. If, in some instances, as in the loss of the carrying trade, they feel the inconvenience of their choice, they can no longer complain." More specifically, Lord Sheffield objected to Pitt's bill for readmitting Americans into the closed circle of British mercantilism. By forcing the former subjects to accept the consequences of their choice, the British could increase their own trade. For example, if American ships should be excluded from all carrying trade in the British West Indies, employment would be found for hundreds of British sloops. The Americans would be in no position to retaliate by threatening to buy their manufactured goods outside the empire, because mere self-interest would compel them to buy in the cheapest market. Lord Sheffield also pointed out that a considerable part of American commerce before the war had been conducted with the help of long-term credit, and that the British alone were in a position to grant such credit. No matter what policy the British should adopt, Sheffield concluded, fully 80 per cent of American trade would flow through British channels.

Lord Sheffield
and the
Conservatives

Lord Sheffield carried his point and in July, 1783, a new British order in council defined the status of American trade. With the exception of salt fish, practically all American export commodities could be taken to the West Indies, but only in British-built and British-owned ships. West Indian products could be taken to the United States, but again only in British bottoms. The exception of salt fish from the list of permissible exports to the West Indies was significant. In the Treaty of 1783 the British recognized American rights in the Newfoundland fisheries. But it was the West Indian market which made the fisheries profitable. If the British should exclude American fish from their islands, they would nullify an important provision of the Treaty of 1783.

If this order in council had been enforced it probably would have done considerable harm. It will be recalled that the whole British navigation system looked much more severe on paper than in actual practice because of lack of enforcement. The same factor weakened and almost destroyed the effectiveness of the new order in council. More than half the exports from the United States to the West Indies went to the British island of Jamaica in the year 1784. The British West Indies had long been dependent on the North Americans for essential foodstuffs, and the local authorities winked at illegal imports of necessities. Even when the need for North American goods

West Indian
Trade

was not absolute, the differential in price was so strongly in their favor that West Indian planters welcomed the opportunities to buy, even from American ships. In addition to this extensive illegal trade with British islands, the Americans were allowed to trade with French Martinique and with Spanish Cuba.

Commerce with the West Indies, legal and illegal, was one illustration of the tendency shown by American merchants to return to lines of trade which had been profitable before the war. Other illustrations of this same trend were to be seen in a revival of the tobacco trade, the African slave trade, and the Yankee peddling business along the Atlantic seaboard. According to one report, between the end of the Revolution and 1785 seven thousand Negroes were brought into South Carolina. There are no figures to show how many of these came in British and how many in American ships, but the renewal of the rum trade with Africa suggests that some American merchants found a source of profit there.

According to available evidence the British order in council of 1783 did not give British ships the desired monopoly in commerce between the West Indies and North America. It did, however, arouse American wrath, just as earlier British measures had done before 1775. Evidence of this anti-English feeling may be found in retaliatory legislation adopted in at least six of the thirteen states. Massachusetts, New Hampshire, and Rhode Island prohibited British vessels from loading any American goods or merchandise. Maryland and North Carolina imposed heavy discriminatory port charges on British ships, while both Maryland and New York placed double import duties on all goods brought in British ships. Restrictive measures of this sort have a way of reacting unfavorably upon the makers, particularly so when some shipping centers refuse to cooperate. Connecticut would not join with her associates, so she was in a position to pick up trade which the laws of her neighbors might turn away.

Much more important than these retaliatory devices were the efforts to open new lines of commerce. Even before the end of the Revolution merchants from New England were investigating opportunities in Swedish ports, and it was not long before American ships were going to Holland, Russia, Portugal, and to the German port of Hamburg. Then in 1784 merchants of New York sent the *Empress of China* to the Orient, and this marked the beginning of extensive American commercial ventures in Chinese and East Indian waters. This commerce continued virtually without interruption until December 7, 1941, when the Japanese attacked the United States.

When the Franco-American treaties were signed in 1778 some American merchants looked forward confidently to the development of profitable commercial relations with France. In 1784 an order of the French government admitted American ships to French West Indian ports—a concession, by the way, which represented a departure from the traditional mercantilist principles governing French trade. This order opened a limited market for

timber, livestock, salt meat and fish, rice, hides, and some naval stores. On the return trip the vessels brought back molasses. The next year Thomas Jefferson had at least one long talk with Vergennes, the purpose of which was to stimulate American trade with France. Vergennes's response was not encouraging. He proved that France could buy rice more cheaply from Egypt than from America. As for flour, salt fish, and other foodstuffs, France could provide for her own needs. France needed naval stores, but high transportation costs made it unprofitable to buy them from America. Vergennes found only two articles of American export which France could afford to buy: whale oil and tobacco. Even though the French officials wished to encourage trade with America, they could not get around the factors of high costs.

It is difficult to tell precisely how extensive this post-war commerce was because of the lack of statistical information. But the following table is probably as accurate as any to be found.

<i>Date</i>	<i>Exports from the U. S.</i>	<i>Imports into the U. S.</i>
1784	£ 749,345	£ 3,679,467
1785	893,594	2,308,023
1786	843,119	1,603,465
1787	893,637	2,009,111
1788	1,023,789	1,886,142

Unbalanced
Trade

There seems to be no way of breaking down these totals to show the extent of the trade with different ports, but it would be safe to attribute 90 per cent of the imports to British sources. For purposes of comparison, it is interesting to note that in 1774, the thirteen colonies had imported goods from England to the value of £2,532,919. In 1784, therefore, American imports of British goods were some 45 per cent above normal. The war was hardly finished when Americans began to stock up heavily with British imports.

During colonial times such imports had been paid for indirectly through profits of the export trade to the West Indies, and American merchants evidently hoped for a continuance of the old system. But the figures just given for post-war exports indicate a disproportionate decline in this branch of commerce. Inevitably, therefore, the imports had to be paid for in specie, and the result was a temporary but acute shortage of money in some sections of the United States. The troubles of the "critical period," the name which John Fiske gave to these years of readjustment, were evidently due not to cessation of trade, but to unbalanced trade.

There is an abundance of contemporary comment in letters and newspapers which supports the general statements just made. Commerce was active enough to bring substantial fortunes to the new class of wartime profiteers. And the newly rich of the eighteenth century were not very different from their later counterparts of the Civil War and the first World

American
Extravagance

War periods. Money came easily and it was spent freely. This tendency accounts for the widespread complaints of luxurious living. In the latter part of 1784 the *Massachusetts Centinel* of Boston warned the people of the serious consequences certain to result from "such unbounded importations of European manufactures, as have taken place since the peace; nevertheless the rage still continues with unabating ardor. . . . Since the establishment of independence, as total a revolution has taken place in the system of our commerce, as in the administration of our government; and an entire new code of laws is now as necessary for the regulation of the one, as a new constitution was for the administration of the other." Not long afterward the same paper published an address to the inhabitants of Massachusetts, signed "An American," of which the following was the burden of the argument: "The general complaints among all ranks, in the city and in the village, are the scarcity of specie, and the great encrease of luxury and prodigality.—It is vanity to think of preventing our money from leaving the country, while the present inordinate consumption of foreign gewgaws continues."

At this same time James Sullivan wrote: "our people are so perfectly fashion mad and have such an unaccountable taste for Gause &c that all our money goes to Europe, besides the peoples minds have been highly agitated and the agitation has not yet subsided." Another well-known American of his day, James Warren, reported early in January, 1785: "The scarcity of money in consequence of our excessive and extravagant importations of British frippery has occasioned stagnation of trade, stopping discounts at the bank, and other embarrassments and confusions. This country seems to be in danger of ruin, which nothing can prevent but a reformation of manners and an establishment of frugality in the room of that general profusion which has prevailed. . . . The coin is gone, and no staple yet established to restore it, and yet the infatuation subsists."

Samuel Adams likewise found fault with his fellow citizens who were "imitating the Britons in every idle Amusement and expensive Foppery which it is in their power to invent for the destruction of a young country. Can our People expect to indulge themselves in the unbounded Use of every unmeaning and fantastick Extravagance because they would follow the lead of Europeans, and not spend all their Money? You would be surprized to see the Equipage, the Furniture and expensive Living of too many, the Pride and Vanity of Dress which pervade thro every Class, confounding every Distinction between the Poor and the Rich and evincing the Want both of Example and Economy."

As a result of these commercial conditions some of the American people found themselves without money. Men who had been fairly well off could pay neither debts nor taxes. People complained of the high cost of government. When creditors sued their debtors in an effort to collect debts long overdue, they could not collect because people had no money. Lawyers,

sheriffs, and even judges became unpopular because they tried to enforce the laws regarding debts and property rights. In Massachusetts, some towns petitioned the legislature either for a reduction or a complete remission of taxes; the town of Palmer described its poverty as follows: "The great difficulties That the Inhabitants of this Commonwealth (and the Said Town of Palmer in Particular) Labours under by Reason of the grate scarsety of surculating medeam Rendors it difiualt for the said Inhabitants to Paye There Taxes and cary on there Nessessary bussiness." One resident of Salem, in 1786, found money so scarce that his church collection brought in hardly a dollar.

Scarcity of
Money

If there was no money to be had, the logical thing seemed to be to make it, that is print paper notes. There was no limit to the quantity which might be turned out and the greater the issues, the higher prices would go. Then the farmers could pay their debts. Seven of the thirteen states tried to cure their trouble by this means. In Rhode Island the law not only made paper money legal tender but imposed a fine on people who should refuse to receive it. Merchants closed their shops and farmers from Massachusetts and Connecticut would not bring provisions into the state because they did not care to take their pay in worthless paper.

The Continental Congress was in no condition to help. In fact it could not even support itself. Financially speaking, it was even worse off than the states. Each state could raise some money through taxation but under the Articles of Confederation Congress could not raise a penny. Since Congress could not even pay interest on the Revolutionary War debt, the principal continued to grow year after year. When Congress appealed to the states for an amendment to the Articles so as to permit a national import duty of 5 per cent, Rhode Island refused to agree. A second proposed amendment that would have given Congress the power to collect duties for only five years was killed by the action of New York. Here was a government, then, with no authority at home and no prestige abroad. Even before the end of the Revolution Congress had furnished one of the classic illustrations of governmental poverty: "Resolved unanimously, That the superintendant of finance be and he is hereby authorized, to draw bills of exchange from time to time, according to his discretion upon the credit of the loans which the ministers of the United States have been instructed to procure in Europe, for such sums, not exceeding the amount of money directed to be borrowed, as the publick service may require." Under the circumstances, perhaps, the Congress was entitled to praise for limiting the bills to the amounts they hoped to borrow. With no independent power of taxation and no means of collecting payments from the states, the central government was always faced with bankruptcy. From 1781 to 1786 it was able to collect by means of so-called requisitions about \$2,500,000, not enough to meet the payments due on the foreign debt alone, with not a shadow left for either the domestic

Congressional
Problems

debt or for running expenses. In 1784 the total debt, foreign and domestic, amounted in round numbers to about \$35,000,000 and it was steadily increasing because of unpaid interest.

SHAYS'S REBELLION

Depression
Among the
Farmers

The climax to this uncomfortable drama of hard times is to be found in Shays's Rebellion, which occurred in Massachusetts in 1786. Even before the end of the Revolution the farmers of Massachusetts had found occasion to complain of their lot. For a few years they had profited heavily, but after 1780, as prices gradually fell and taxes steadily rose, the country people were reduced to hardship and want. Because of the fluctuating paper currency, their earlier prosperity had no real permanence and they could lay by nothing to carry them through a series of lean years. In fact, although the more farsighted ones had paid off their mortgages while profits remained high, not all had been sensible enough to do that. By 1782 and 1783 the agricultural counties of the state were facing real hardship.

The farmers complained generally because the paper money laws had been repealed. More specifically they were bitterly opposed to the courts, in which actions for debt might be brought, to the lawyers who seemed to be turning the misery of the farmers into wealth for themselves, and to the government officials who were drawing high salaries for work which was bringing no appreciable benefit to the common man. The restless spirits said that the yeomanry, the very bulwark of the state, was being "Squeezed and Oppres'd, to maintain a few Lawyers . . . who grow Rich on the Ruins of their Neighbors." Everywhere there were bitter verbal attacks upon all those who were deriving their income from sources other than the land.

It was the sort of situation destined to recur again and again, under the strain of economic reverses. The Jacksonian Democrats felt the force of it in 1837, the western farmers in 1873, 1896, and again in 1921 and 1932. The combination of low prices for farm produce, high prices for manufactured goods, high taxes, and too frequent actions for debt always produce the same result: a demand for cheap money.

Organizing
for Revolt

Agitation against hard times was already evident in 1782. In March of that year the town of Hardwick, Worcester County, sent out a circular letter proposing a county convention to discuss grievances and possible remedies. Early in April thirty-four delegates came together, representing twenty-six towns. The next month a still larger convention met, and repeated the stock complaints against high taxes and the use of courts of justice as debt-collecting machinery. In the course of 1782 and 1783 Hampshire County, in the Connecticut valley, had seven county conventions, called to discuss economic grievances. The leader in this area was a former clergyman, Samuel Ely, who might be looked upon as an eighteenth-century forerunner of the Populists of 1892. Ely made the following complaints: "We must throw up our constitution . . . the constitution is broke

already, the Governor has too much salary, the Judges of the Superior Court have too much salary, we can get men that will ride the circuit for half the money . . . the General Court should not sit; we will pay no more respect to them than to puppies." When Ely ran afoul of the law and was put in jail at Northampton, several hundred of his loyal followers rushed the jail and set him free.

This agitation came to a climax in 1786. In June of that year the House of Representatives adjourned without complying with the demand for paper money. The conservative *Massachusetts Centinel* was really frightened at the probability of trouble.

Fears of the
Conservative

The spirit of discontent which has seized on all orders, and appears in every part of the continent, as well as in this State in particular, must create the most serious apprehensions in the breast of every real patriot— The people of property are in continual fears of such measures being adopted, either by a paper currency, tender law, or some other visionary expedient, as well destroy all Confidence not only in the State, but in one another. Those who have little to lose, and subsist wholly on speculation are equally dissatisfied with the present situation of affairs, and as no change can be for the worse, are universally wishing for the very things which are deprecated by the others as the worst of evils. A general ferment of opinion prevails, and it is not easy to predict the consequences—though for the honour as well as interest of the continent, it is ardently to be hoped by every true friend of the revolution, that some general and permanent system may be established, which will restore the wonted tranquility to this distracted country.

The eminent lexicographer, Noah Webster, admitted the existence of discontent and danger, but he had little sympathy with the trouble-makers:

There is a political ferment in this State— Some towns are disposed for a Convention to redress Grievances, the principal of which are *taxes* & the existence of a Senate in the legislature. People wish to get rid of these evils immediately— Sutton has burnt its tax-bill—& another town has voted not to pay taxes. Storms of this kind are sudden & transient. . . . It is a fact, demonstrated by correct calculation, that the common people in this country drink Rum & Tea sufficient every year to pay the interest of the public debts.

In August county conventions met in various parts of the state: in Worcester, Hampshire, and Middlesex Counties. On August 29 a mob took possession of the courthouse at Northampton and prevented the court from sitting. The situation was so serious that Governor James Bowdoin issued a proclamation, calling attention to attacks upon the courts and to the widespread, open defiance of the authority of the government. He called upon all judges, sheriffs, grand jurors, constables, and other officers to suppress disorder, and then he authorized the use of the militia. A few days later some of the inhabitants of Boston met in Faneuil Hall, to express disapproval of the methods adopted by the discontented elements and to assure

Attacks upon
the Courts

the governor of their readiness to uphold his authority. Samuel Adams presided.

The attitude of Noah Webster, as described above, was common among conservatives. A writer in the *Centinel* referred to the list of grievances drawn up by the county conventions, and then explained that these discontented agrarians had omitted the real grievances; he proceeded ironically to list a few:

'Tis a grievance that money is scarce, but a greater that honesty is scarcer.

'Tis a grievance that one knave leads ten fools by the nose.

'Tis a grievance that men should be employed in publick affairs, who have a greater share of guts than brains.

'Tis a grievance that those who have not prudence to manage their private affairs, should be entrusted with the management of public affairs.

And 'tis folly to think that those who cannot extricate themselves from debt, can extricate the publick.

Governor Bowdoin made a vigorous show of official authority and doubtless prevented the disorders from becoming more serious. In November, by way of assuring peaceful and undisturbed sessions of the Supreme Court in Cambridge, the governor stationed three regiments of infantry and three companies of artillery there. Newspapers reported that insurgents from Berkshire, Middlesex, Hampshire, and Worcester counties had collected near Worcester for an impressive march upon Cambridge, but they changed their minds when they heard of the governor's vigorous preparations to receive them. A small insurgent army of 350 did seize the courthouse in Worcester.

By this time leadership of the insurgents devolved upon Daniel Shays, a veteran of the Revolution. He had been promoted to a captaincy in that war and when peace came his fellow-citizens had elected him to various local offices. He was therefore no mere upstart of a troublemaker but a respectable citizen caught in the tangle of economic depression. His participation in the revolt of 1786 indicates that conditions were serious.

Daniel Shays

Finding their plans for an attack upon Cambridge blocked by the militia, Shays and his associates turned westward toward the Connecticut valley and started for Springfield. Their objective was the arsenal which had been established during the American Revolution. The crisis came on January 25, 1787, when Shays with a force of 1,200 men appeared before Springfield. The insurgents found General Shepard waiting for them with some companies of artillery. General Shepard opened fire and so forced the rebels to break ranks and retreat. They continued their retreat through Pelham to Petersham where they dispersed. Shays's rebellion was over. The General Court passed a law imposing disabilities on all the rebels who were caught, but there were no executions and Governor Bowdoin's successor, John Hancock, pardoned those who were still in prison. Bowdoin's course of impressive firmness in the face of attack and of wise moderation when the danger

was over revealed unusual common sense on his part. By March, 1787, General Lincoln reported from Pittsfield that a large number of former rebels with their household furniture and their cattle were moving into Vermont.

After the whole thing was over and peace had been restored, Barnabas Bidwell of Berkshire County wrote his impressions of the character and quality of the insurgents:

I find the majority of the populace has been disaffected to Government measures. The Gentlemen of learning & the liberal professions, especially the Clergy, are universally for Government. Debtors are generally on the other side, and this class comprehends more than half of the people. Persons guilty of crimes, or who wish to commit crimes; Rhode Island Emigrants and almost all the denomination of Baptists; men of warm passions and but little reason; men of fickle minds, fond of every new scheme and proud of an enterprising spirit,—such have pretty generally engaged in the Insurrection. They have been joined by many, who have no attachment to any establishment, but were glad of the commotion, as it gave them something to do. They have also drawn in a large number of boys; and also of the ignorant, uninformed, but well-meaning common people, who hearing such a dreadful out cry against Government, believed there were some intolerable grievances, although they knew not what.

To the advocates of law and order this uprising of debt-ridden farmers and thoughtless boys against high taxes, debts, courts of justice, and the authority of government looked like anarchy and they were afraid of more serious outbreaks in the future. John Jay wrote that the prevailing insecurity of property and the lack of confidence in government might lead the orderly and industrious part of the population to despair of liberty itself. The implication was that he feared the establishment of an autocratic system as the only force capable of holding disorders in check. An unknown writer in the *Hampshire Gazette* voiced his fear of a general loosening of the bonds of government, particularly because of the thoughtlessness of those who advocated revolution as a remedy:

General
Uncasiness

How did we know in the year 1774 it would be best to revolt from Great Britain?—we did not; but there were many clever things said of our future glory, and we were induced to put to sea without a compass; just so now; we are hard pressed for our debts and taxes, and many of us have not much to hazard in the great convulsion, perhaps it may turn up JACK and be much to our advantage.

This readiness to resort to violence was a genuine danger.

General Knox, who subsequently became Secretary of War, feared an actual social revolution; writing of the insurgents he declared: "Their creed is that the property of the United States has been protected from the confiscation of Britain by the joint exertions of *all*, and therefore ought to be the *common property of all*; and he that attempts opposition to this creed is an enemy to equity and justice, and ought to be swept from off the face of the earth. . . . They are determined to annihilate all debts, public

and private, and have agrarian laws. . . ." "This dreadful situation," Knox assured Washington, "has alarmed every man of principle and property in New England. . . . Our government must be braced, changed or altered to secure our lives and property."

Theodore Sedgwick, later the Federalist leader of Berkshire County, characterized the uprising in somewhat similar terms: "A war is now actually levied on the virtue, property and distinctions in the community, and however there may be an appearance of a temporary cessation of hostilities, yet the flame will again and again break out." Sedgwick made this dire prediction in June, 1787, five months after Shays's forces had been scattered.

Fortunately the forebodings of the well-to-do did not find confirmation in later developments. As so often happened, a turn for the better in economic affairs removed the grounds of discontent. In most of the states the economic crisis had already passed before Daniel Shays led his men on that forlorn venture into Springfield, and by the summer of 1787 good times were apparent. Even in November, 1786, Benjamin Franklin found the best of reasons for optimism: "Our husbandmen, who are the bulk of the nation, have plentiful crops, their produce sells at high prices and for ready, hard money. . . . Our working people are all employed and all get high wages, are well fed and well clad. Our estates in houses are trebled in value by the rising of rents since the Revolution. Buildings in Philadelphia increase amazingly, besides small towns rising in every quarter of the country." By 1788 the people had settled down to hard work and they were getting full benefits from it. There were still complaints of a shortage of cash in Massachusetts, but no more talk of rebellion. When John Adams returned from England in that year he wrote: "The agriculture, fisheries, manufactures, and commerce of the country are very well, much better than I expected to find them."

As an instance of mob activity the rebellion would have had little significance for the United States as a whole. But coming as it did, in the midst of hard times, intense unrest, general disinclination to respect law and the government, it assumed in the minds of men then living the sinister aspect of anarchy. Had it not been for the return of better economic conditions no one can tell how far the disorder might have spread. Thoughtful Americans of that day were alarmed over the danger to the fabric of society, while property owners were fearful of the loss of all they possessed.

Those who were most seriously affected by the dangers in the critical period, the merchants and larger property owners, men with money to lose, began seriously to contemplate the revision of the Articles of Confederation, with a view to safeguarding not only their own interests, but the public interests, which depended upon a continuance of peace and good order. As one of them put it tersely at the time: "What is property without good government?"

There was considerably more than coincidence in the juxtaposition of

Return of
Prosperity

Plans for a
New National
Government

Shays's Rebellion and the plans for the Federal Convention of 1787. One serious threat to good government had been confined to a single state and had been suppressed by the local authorities. What if the disturbance had spread more widely and what if local governments had been unable to hold it in check? In case of such a crisis there was no superior power which could intervene. The Continental Congress had been purposely left without power over the states; it could be of no help in time of trouble. If property were worth nothing without good government, it behooved the American people to provide the government. This relationship between the threat of wide disorder and the creation of the federal Constitution justifies so much attention to a rebellion which failed of all its immediate objectives.

The Federal Constitution

PLANS FOR A NEW GOVERNMENT

IT is difficult to measure the influence of any rebel like Daniel Shays upon the thought of his own time. He was neither a philosopher nor a writer, and he left no record beyond what appears in the newspapers and in the letters of his badly scared contemporaries. But he did frighten the well-to-do into a panic. Advocates of a new government therefore found him a great help in their work; he could be cited as an impressive example of what might happen if the weak Confederation were left unchanged. He did not initiate the movement leading toward the Federal Convention, but he furnished the promoters with vivid material for argument in favor of a change.

Weaknesses of the Confederation

The unsatisfactory character of the Articles of Confederation was evident even before they had been adopted by the states. As early as 1780 Alexander Hamilton was urging revision, in the direction of a more powerful central government. The subject came up more than once in Hamilton's correspondence. By 1787 the demand for action was too strong to be resisted. James Madison was finding fault with the Confederation not so much on grounds of economics as on grounds of the inevitable ineptitude of Congress under the Confederation. He cited the violation of treaties, the defiance of Congress by the states, the absence of effective guarantees against domestic uprisings, the lack of coercive power in the Confederacy, all these in addition to the refusal of the states to comply with Congressional requisitions for money. Madison even went so far as to propose a Congressional negative on state laws. Another important factor at work was the controversy between Americans and Spaniards in the Southwest. A stronger government might compel Spain to grant American rights.

While Madison was pondering the most feasible plan for a satisfactory division of sovereignty between state and nation, a chain of events had already been started which soon led to action. Virginia and Maryland were trying to work out a policy covering the navigation of the Potomac. In 1785, at Washington's invitation, commissioners from the two states met at Mount Vernon and drew up resolutions on the subject. Then Maryland suggested another conference on commercial questions, and asked that both Pennsylvania and Delaware be invited. The Virginia legislature approved and its commission, with Madison as a member, invited the other states to

send delegates to a convention, to meet at Annapolis, in the early fall of 1786.

So little general interest was shown that only five states were represented at the Annapolis meeting. Unable to accomplish anything because of lack of support, the Annapolis delegates proposed another convention of delegates from all the states, to meet at Philadelphia the second Monday in May, 1787. There it would be possible "to devise such further provisions as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the Union," and to report a plan for that purpose to Congress, for submission to the states. Congress mustered up strength enough to issue a formal invitation, calling upon the states to send delegates to a convention, "for the sole and express purpose of revising the articles of confederation."

Annapolis
Convention

Twelve states took advantage of the opportunity to share in the deliberations, Rhode Island alone, the traditional home of the otherwise minded, refusing to send delegates. The members were chosen by the state legislatures, so they were good examples of the governing class. In general they were conservative, alarmed at the widely prevalent signs of disorder, and anxious to do something to provide for a better enforcement of the laws. Moreover they had the benefit of practical experience in affairs of government, either as state executives, members of their local legislatures, or perhaps as members of Congress. It is true, of course, that all of them were men of property, with something to lose in case the disease manifested in Shays's Rebellion became epidemic.

During the Revolution a number of American merchants had found remarkable opportunities for trade, in the promotion of which they had introduced corporations, particularly in the fields of banking and insurance. These interests were not prospering under the regime of the Confederation. Businessmen felt the need of a stronger central government to bring about a revival of commerce. This group found it desirable to combine arguments derived from private business interests with others pertaining to patriotism and the national interest. In 1786 the French chargé d'affaires at New York reported that the merchants were trying to promote plans for a new government. In doing so they emphasized the lack of respect for the United States abroad, the prospect of a commercial depression, and the danger of hard times. "The people," the French official continued, "generally dissatisfied with the difficulties of carrying on trade, scarcely suspected the motives of their antagonists."

Federalist
Interests

Other advocates of a strong central government who stressed economic considerations were the holders of Revolutionary paper. This paper had depreciated badly and the Confederation held out no hope of improvement. But both bona fide holders and shrewd speculators were aware of advantages to come if the government should establish American credit. The market value of the debt would be substantially increased. In addition to

the financial groups, there were other economic interests agitating for a change. Alexander Hamilton and other Americans wished to promote industrial development in America; a more powerful central government would be in a position to help them. Congress had no authority to levy a protective tariff, and without a tariff how could manufacturers hope to compete with established British interests?

Anti-
Federalists

On the other hand, many political leaders of the Revolution still believed that any government strong enough to provide such safeguards for business and for property would be a menace, not only to the rights and liberties of the people but to the very existence of the states themselves. In this group were small farmers and debtors and a number of believers in abstract doctrines of the rights of man. These were the Anti-Federalists. Nevertheless both groups agreed that the United States was not making an impressive record in its foreign relations, and that something would have to be done to command respect abroad.

Opposition to
Democracy

Although the Federal Convention met only eleven years after the adoption of the Declaration of Independence, the men who had signed the Declaration were conspicuously absent from the convention. Thirty-nine delegates signed the Constitution; of these only six had signed the Declaration, and of these six, four came from Pennsylvania. Not only were the old revolutionists themselves out of the picture, but their doctrines were being repudiated by the new conservatives. Democracy, for a time a word to conjure with, temporarily became a symbol of "Shaysism." The new leaders abandoned the doctrine that any group of people had a right to overthrow the government at will. On the contrary, many delegates actually believed that popular power should be suppressed. Edmund Randolph of Virginia declared: "Our chief danger arises from the democratic parts of our constitution. . . . None of the [state] constitutions have provided sufficient checks against the democracy. The feeble Senate of Virginia is a phantom. . . . The check established in the constitution of New York and Massachusetts is yet a stronger barrier against democracy, but they all seem insufficient."

Roger Sherman of Connecticut did not believe that the people should elect members of the House of Representatives. He would have given this power to the state legislatures: "The people . . . should have as little to do as may be about the Government. They want information and are constantly liable to be misled." Elbridge Gerry of Massachusetts supported Sherman: "The evils we experience flow from the excess of democracy. The people do not want virtue; but are the dupes of pretended patriots." Randolph of Virginia explained that one cause of the prevailing unrest in the United States was to be found "in the turbulence and follies of democracy."

While some members of the Convention thus put themselves on record as opponents of democracy, others ridiculed the principle of disinterested service to the people. Men were active in public affairs because it paid. Alexander Hamilton argued that men must have material inducements to

make them support the government. He would shape public policies so as to benefit the rich and he would make it possible for officeholders to enrich themselves: "A reliance on pure patriotism had been the source of many of our errors. Take mankind in general, they are vicious—their passions may be operated upon. . . . We have been taught to reprobate the danger of influence in the British government, without duly reflecting how far it was necessary to support a good government. . . . One great error is that we suppose mankind more honest than they are. Our prevailing passions are ambition and interest; and it will ever be the duty of a wise government to avail itself of those passions, in order to make them subservient to the public good—for these ever induce us to action." Gouverneur Morris even more bluntly declared that "loaves and fishes must bribe the Demagogues. They must be made to expect higher offices under the general than the State governments. A Senate for life will be a noble bait. Without such captivating prospects, the popular leaders will oppose and defeat the plan. . . . We should remember that the people never act from reason alone."

Hamilton's
Doctrine of
Self-Interest

The brief question quoted in the preceding chapter: "What is property without good government?" might well serve as the key to the aggressive Federalist philosophy. These men recognized the need of adequate safeguards for property and they wanted a government strong enough to provide protection. Here was to be found one reason for creating a legislature with two houses. Madison explained that "the Senate ought to come from, & represent, the wealth of the nation." His colleague, George Mason, was even more explicit: "One important object in constituting the Senate was to secure the rights of property."

Another aim as defined by some of the delegates was to substitute the principle of national supremacy for the prevailing doctrine of states' rights. William Pinkney of Maryland introduced a motion designed to give the new national legislature power to annul any state laws which it should "judge to be improper." He insisted that such power would be necessary to keep the states in "due subordination to the nation." James Madison seconded the motion and in doing so observed that "an indefinite power to negative legislative acts of the States is absolutely necessary to a perfect system."

The Federal Convention therefore represented a social and economic group which had little in common with the revolutionists of 1775 and the delegates spoke a language which would have been unrecognizable in the First Continental Congress. Even so it is not necessary to jump to the conclusion that the primary motive of the Federalists in promoting the Constitution was the desire to line their own pockets. The motives shaping human behavior are not so simple.

The immediate problem of the delegates was to devise a federal system, and to provide for a satisfactory apportionment of authority. Some functions the states could perform for themselves. The new central government must be equipped to perform the functions which appertained to the nation. In

**Federalism
before 1775**

the years before 1775 the British officials had struggled with this same problem and they had evolved a workable federal system. The Crown and Parliament had taken charge of defense, naval and military, and had tried to co-ordinate local and imperial efforts. The same authorities, using the Board of Trade as their administrative agent, had regulated commerce, and had tried to standardize the monetary system of the empire. The same central government provided services which no single colony could arrange for, such as an intercolonial postal system. If domestic disturbances threatened to upset local authorities, British troops were used to restore order. When any colonial legislature passed a law inconsistent with the established order, the Privy Council might disallow it. And the House of Lords was the final court of last resort, to which appeals could be carried from local colonial courts. Actually the Federal Convention had to invent very little that was new; it merely utilized existing experience.

Scheduled to begin its proceedings on the second Monday in May, 1787, it was not until May 25 that work really started. From then on the sessions continued until September 17. During that time fifty-five delegates attended, although they were not all present at any one time. The average attendance ranged from thirty to thirty-five. The discussions were carried on in secrecy, and the rules provided that nothing pertaining to the debates should be reported outside or published without permission.

**The Rival
Plans**

Theoretically the Convention had assembled to amend the Articles of Confederation, and some of the members held to that original purpose to the very end. But a number of delegates, including the leaders of the Virginia delegation, had made up their minds to create a genuine central government. With this purpose in mind, under Madison's direction, the Virginia delegation drew up a plan which proved to be the framework of the Constitution itself. This Virginia plan called for the establishment of a two-chambered legislature, a national executive, and a system of national courts. More important still, the new legislature was to have power to act, to pass laws and to levy taxes.

For the first two weeks of the Convention's work, the members who favored the Virginia plan controlled the proceedings. Gradually, however, the opposition began to coalesce into a unit, with a set of principles appealing to the non-Federalist group. Their delegates were determined not to let the Federalists consolidate their power so completely that they could dominate the whole government. The policy of the anti-national or Anti-Federalist group was soon embodied in the New Jersey or Paterson plan. This proposal called, not for an entirely new system, but merely for a revision of the Confederation. To make the old system work Paterson and his friends would have permitted Congress to levy import duties, to regulate trade, and to compel the states to pay the sums assessed against them by the central authority. In this way the two main theories concerning a proper form of government for the United States were laid before the Convention.

During the first month the prospects for the Virginia plan were bright. But no one could tell how the Convention would divide when the much-debated issue of representation came up for an actual vote. The dominant group demanded that voting power in the federal legislature be apportioned on the basis of population. The advocates of the Paterson plan insisted upon the preservation of the principle of equality of the states, then in force in the Congress of the Confederation. On June 29 the test came. With reference to the lower house, the Convention voted, six states to four, that representation should be based upon population.

Once this question was settled, Oliver Ellsworth of Connecticut insisted upon a decision regarding the upper house, and urged that the principle of equal representation be preserved there. He said that this suggestion would allow for a compromise between the two factions. The problem was turned over to a committee, which recommended the compromise previously suggested by Ellsworth. It took the Convention two weeks to make up its mind regarding the committee's recommendation, but the vote taken on July 19 favored the compromise.

The Great
Compromise

The solution of this problem cleared the way for the rest of the work. Several more compromises were adopted. One question that demanded careful attention was that of direct taxes. Should Congress have power to levy them, and if so, on what basis: population, or property? As the discussions proceeded, some of the conservative eastern delegates saw a chance to insure their section against a possible danger from the growing influence of the West. Congress might admit new states, and they would be represented on the basis of population. Let direct taxes be assessed on the same principle, said the Easterners. Then, even if the West should acquire a preponderating influence in the new Congress, it would have to pay for its power in direct taxes.

Other
Compromises

At this point the question had to be decided as to whether or not, for purposes of representation and direct taxes slaves were a part of the population. Some of the delegates suggested a ratio which had been used before, that is the inclusion of three-fifths of the slaves in the figures which would determine the number of representatives. This "federal ratio" was adopted.

Again there was a difference of opinion between the southern agricultural states and the middle and northern commercial centers. The mercantile interests wanted to give Congress authority to regulate trade, while the plantation interests demurred at this, for fear that the power might be used to block the slave trade. The regulation of commerce was lodged in the hands of Congress with the proviso that there should be no interference with the slave trade for twenty years.

One of the most complicated, and at the same time the most peculiar of the compromises was that concerning the election of the President. Various theories were offered, all derived more or less directly from precedents controlling state executives. One group urged that the President be elected by

Congress. There were sound arguments against this. If chosen by Congress, the executive would tend to conform to that body's wishes, especially if there was any prospect of more than one term. If he were chosen directly by the voters, the large states would always control the office. To compromise this difference, the convention arranged for a semi-indirect election. The voters choose electors, and they in turn select the President. But if no candidate considered by them should secure a majority, then the House of Representatives, voting by states, would select one from the five highest on the electors' list.

What the delegates really intended was to have the electoral college serve as a sort of nominating body, and they expected to find the elections going to the House with more than ordinary regularity. These hopes were thwarted by the early appearance of political parties, and the device of the electoral college has never been entirely satisfactory. Accepted in the beginning as a comfortable way out of a dispute rather than because of its intrinsic merits, the arrangement is now defended because it is a product of the "fathers."

These compromises reveal much of the spirit prevailing in the Convention. There were differences of opinion, and stubbornness was only too evident. The less conciliatory members withdrew and went home, to attack the new plan even before it was completed. But the majority of delegates were able to forget their personal preferences for the sake of the public welfare, and the Constitution was made possible by their efforts. While the irreconcilables went home, these others stayed on and helped to make the United States a going concern.

MAJOR PROVISIONS OF THE CONSTITUTION

The Federal Convention finished its sessions on September 17, 1787. The members had worked out a satisfactory form of federal organization. They provided the necessary institutions for handling common problems, and they did this without breaking down those safeguards for the individual which had made the states vitally important. Moreover they had found a means for avoiding the multiplication of sovereignties upon the North American continent. A glance at European history reveals the greatness of that achievement. The Federal Convention put together a system of government which has stood the greatest of all tests, those of time and of results. Perhaps the best tribute to the success of the work is to be found in the succeeding chapters of American history. As the nation has grown in territory, in population, and in international prestige, the Constitution has developed to keep pace. If it has not satisfied everybody, neither has any other scheme ever devised by the mind of man. And of course it is not fool-proof. Unintelligent and corrupt officials may wreck the best of systems. On the whole the American government has worked satisfactorily, and under its operation the general level of happiness and well-being has been high.

The Constitution made possible the creation of a national government. The Constitution itself, all federal laws passed by virtue of its authority, and all treaties made under it are "the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." In many ways this particular statement is the most significant part of the whole document. In the future no state could maintain a law contrary to the Constitution. One might think that this supremacy of federal law would need the guarantee of force, that the national officials would need power to coerce a state, but the framers were too well acquainted with the prevailing temper to talk of force. The method which they adopted is more effective than force, and it did not arouse serious antagonism. Every state judge became an agent for upholding the Constitution, because his decisions must take account of the Constitution and the laws passed under it. As Daniel Webster said later, the only way of getting around this provision was by means of revolution.

The Supreme
Law of the
Land

Another factor contributing to the supremacy of the Constitution was the power given to the federal government to act directly on individuals. Any person who violated the Constitution or the federal laws was liable to punishment in federal courts. No state could save its citizens from such punishment by any method short of actual rebellion. Under the Articles of Confederation the government lacked this power of dealing with offenders, because the state governments alone had jurisdiction over individuals.

This principle of national supremacy was upheld further by the power of the Supreme Court to declare an act of Congress or of a state legislature unconstitutional. It is true that this power is not specifically named in the Constitution, and it is also true that Congress is specifically empowered to define the appellate jurisdiction of the Supreme Court. Nevertheless, the people and the lawyers have all found it impossible to get around the logic of John Marshall, the Chief Justice of the Supreme Court from 1801 to 1835. He argued that the American people had voluntarily provided for two kinds of law: (1) fundamental and (2) statute, or acts of the legislatures. These two kinds of law must be in harmony; if a conflict should develop between them, one or the other would have to give way. The Constitution could not give way, because it is the fundamental law; therefore the statute in conflict with it must be null and void. Marshall first voiced this doctrine in the Virginia Convention which ratified the Constitution, and he developed it fully in one of his famous decisions as Chief Justice, in the case of *Marbury versus Madison*. Although at times there has been strong opposition to the Supreme Court because it has set aside acts of Congress or of state legislatures, Congress has acted in only a single instance to take away the Court's jurisdiction in a given case. During the controversy over Reconstruction, following the Civil War, Congress deprived the Court of jurisdiction in habeas corpus cases.

The Supreme
Court

The President

Just as the Articles of Confederation had failed to provide for a Supreme Court, so too had they omitted an executive; there was consequently no recognized head of the government under the Articles. The Constitution created the office of President, with effective powers. The President was expected to enforce the laws. He was made commander-in-chief of the army and navy, so that he could fulfill this obligation even in case of rebellion. He could veto acts of Congress, that is, prevent them from becoming law, unless both houses of Congress, by a two-thirds vote, should pass the measure over again. The President also was empowered to decide upon and direct the foreign policy of the government. To make him independent, the Constitution guaranteed him a term of four years in office, during which he could be removed only on proof of high crimes and misdemeanors. The President has become the policy-making official of the federal government; in the exercise of this power he is often required to interpret the Constitution.

The Congress

The Congress provided for in the Constitution was a very different body from that organized under the Articles. It had two houses instead of one, with all the states represented equally in the Senate, and with the people represented in the House on the basis of their numbers. Under this arrangement the larger states could not completely dominate the smaller states. There was another important difference. Under the Articles, the delegates had received their pay from the states. During the depression which followed the Revolution some of the states tried to economize by sending no delegates at all, with the result that the Congress often lacked the proper number of members to transact business. The Constitution provided that both senators and representatives should be paid out of the federal treasury, so the states would never lack representation in the national government simply because of lack of funds.

Checks and Balances

In its three separate branches—judicial, executive, and legislative—the new federal government could effectively transact the various kinds of business which would properly come before it. According to the theory of that day each branch needed to be independent of the others, and it needed definite checks to prevent the others from encroaching upon it. Although the President and the Senate appoint the justices of the Supreme Court, they cannot remove these important officials. Although the Supreme Court may declare an act of Congress unconstitutional, Congress can prevent such action by limiting the jurisdiction of the Court. The President as commander-in-chief of the army cannot make himself tyrannical because Congress can destroy the army by refusing to provide the money for it. Although the President has charge of foreign policy, he must submit treaties to the Senate for its approval, and war cannot be declared except by act of Congress. In various ways, therefore, the three departments were delicately balanced, so that none would harm the others.

At least, so it was in theory. In practice the executive and legislative

branches have rarely been so completely separated as one might expect. It is well to remember that while we talk about branches of the government as though they were something impersonal, there can be no government except through the agency of men. And men have a way of modifying customs and even constitutions. Every able President from Washington's time to the present has compelled Congress to follow his orders when he wished to do so, thereby bridging the gap which is supposed to separate the executive from the legislative.

Among the extensive powers granted to Congress, control over finance stands first. Congress is the money raising and the money spending branch of the government. Both borrowing and taxing powers are broad. In levying taxes the new government did not have to ask the states for funds; it had full power to go directly to the people and force them to pay. Under this arrangement, there has never been any difficulty in securing revenue. Equally important for the welfare of the people is the power to regulate interstate and foreign commerce. Because of this provision, the United States is the largest free-trade area in the world. In other matters where uniform practices were essential, Congress received full authority to act. To prevent unfair treatment or discrimination in the case of new arrivals from other countries who should wish to become citizens, Congress was empowered to pass naturalization laws. And because business could not be confined within state limits, business troubles became the concern of Congress. To assist in the process of settling the affairs of those who could not pay their debts, Congress was allowed to pass a national bankruptcy law.

Powers of
Congress

The kind and quality of money in circulation is a matter of serious concern to every civilized people. Congress therefore received full power to coin money, and to regulate the value thereof. This provision ranks in importance with those giving the national government control over commerce and over bankruptcies.

During the colonial period the British government had inaugurated a postal service, and the Confederation continued this arrangement. The Constitution gave Congress power to provide such service for all the states. This involved the granting of contracts for carrying mail and the regulation of postal charges and put the United States government itself into a great nationwide business enterprise.

To encourage inventions and to give inventors the reward due them for their work, Congress was empowered to pass laws defining the conditions under which patent rights may be issued. Once the American people turned their attention to industrial activity, the Patent Office became an extremely important branch of our government.

The Constitution conferred upon Congress the power to declare war. But once war has begun, the body which authorizes it has no power to bring it to an end. The President and the Senate do that, by virtue of their treaty-making rights. Theoretically, Congress could stop a war by refusing to raise

The
Constitution
and the
States

money for it; but so far no such drastic step has been considered necessary.

In keeping with the fundamental principle of national supremacy, the Constitution imposed a number of restrictions upon the hitherto unlimited power of the states. State governments could no longer issue bills of credit—the kind of paper money which had depreciated so fast during the Revolution. The states succeeded partly in nullifying this provision by chartering state banks which issued notes. Some of this paper proved to be as worthless as the old bills of credit. But since the Constitution forbade the states to make bank notes legal tender, the bank notes never caused quite so much trouble as the Revolutionary paper money, and in 1864 Congress imposed a 10 per cent tax on state bank notes and drove them out of circulation. The states were forbidden also to collect duties on imports and to impose tonnage or other port charges on shipping. Again, state legislatures were prohibited from passing any laws that would make possible the violation of contracts.

In one other respect the Constitution reflected recent developments in the United States. Shays's Rebellion had alarmed property owners all over the country, and the alarm was peculiarly disturbing because there was no power above the state capable of interfering in this local disturbance. The Constitution provides that the President may send federal troops into a state to suppress domestic insurrection, if the legislature asks for help or, in case the legislature is not in session, if the governor so requests. For the future, therefore, no state would ever again be at the mercy of domestic rebels; and the very knowledge that such help was available would tend to discourage rebels from starting trouble.

The Convention sent the new document to Congress, then sitting at New York. Opposition developed at once, but after discussion it was decided to submit the Constitution to the states. The members of the Convention realized that there would be vigorous opposition to the new constitution and they felt certain that much of the opposition was already represented in the state legislatures. To let these bodies pass on the document might prove disastrous. It was therefore proposed to entrust the work of ratification to state conventions especially chosen for this purpose. Again, since the Articles of Confederation required the approval of all thirteen states for any change in the form of government, and unanimity on a proposal to abandon the old Articles entirely could not be expected, the Convention declared that ratification by nine states would be sufficient—obviously a revolutionary proceeding.

Contest over
Ratification

The publication of the document plunged the whole country into a discussion of the relative merits of the Confederation *versus* the Federal Union. Voters were soon divided into two groups, the Federalists and the Anti-Federalists, and their campaigns for and against ratification stand out among the dramatic episodes of American history. The Federalists included the financial and commercial interests in the North, men who feared that society

itself was endangered by the prevalent political thinking and by such outbreaks as Shays's Rebellion; associated with the financiers and merchants were many of the larger plantation owners in the South. In brief, the Federalists were those who for one reason or another realized the need of a stronger central government, or who appreciated the dangers in the prevailing system.

The opposition, probably much larger numerically, included the small farmers throughout the country and some of the more important farmers in the South. In Massachusetts the followers of Daniel Shays were Anti-Federalist almost to a man. So too were the more recent popularizers of Revolutionary doctrines, and those old leaders of pre-Revolutionary days, Patrick Henry, Richard Henry Lee, and for a time, Samuel Adams. They feared the power of a remote law-making body like Parliament. They had helped to bring about a war to prevent the establishment of a British central government over the states; some of these men looked upon the proposed American system as almost as bad. These Anti-Federalists found certain defects in the Constitution. They found no bill of rights in it; what would happen to the freedom of the individual under a constitution without a bill of rights? Then they felt that the Constitution conferred too much power upon the federal government, more than Great Britain had enjoyed, and more than could safely be intrusted to any human beings. Great as this power was at the start, they contended, it would become steadily greater as time went on. Again, the Anti-Federalists argued that under the Constitution the state governments would gradually become atrophied and eventually disappear. They did not want anything like a consolidated democracy.

Attitude
of the
Opposition

In addition to these more or less tangible arguments, which the Federalists were prepared to meet, the Anti-Federalists raised various kinds of ill-defined fears concerning the proposed system. They were afraid of arbitrary power, of the loss of their liberties, and of tyrannical domination by men of property. They complained about the ambiguous phraseology of the document itself, professing to find evidence of studied duplicity which boded ill for the common man. Again, as they saw it, the new document gave too great power to the new executive to begin with, and this branch of the new system would become steadily more powerful. Or, as a Baptist preacher of North Carolina argued, the proposed federal capital would become a great fortress of despotism with an army of fifty thousand men or more, always on duty to enslave the people. Even Patrick Henry, in all seriousness, told his followers that he looked on "that paper as the most fatal plan that could possibly be conceived to enslave a free people."

The Federalists undertook to meet these objections and at the same time to emphasize the solid advantages, both political and economic, which would follow ratification. They held out the promise of more satisfactory relations with foreign powers, better business at home, prosperity for everybody, including the farmers, orderly government, and the security of

Federalist
Advantages

property. The best statement of their beliefs is to be found in the series of newspaper essays signed "Federalist," written by Alexander Hamilton, John Jay, and James Madison.

During the flood of popular discussion the voters of each state elected delegates to special ratifying conventions. Both parties worked hard to secure control of these bodies. At the start the Anti-Federalists seemed to have the advantage; they were at least more numerous. But the Federalists had the benefit of greater political experience and in many cases of better leadership. They also had the prestige of George Washington on their side. With such assets they were able to overcome the superior numbers of their opponents.

Five of the states—Delaware (Dec. 7, 1787), Pennsylvania (Dec. 12), New Jersey (Dec. 18), Georgia and Connecticut (in the first two weeks of 1788)—ratified quickly. There was little opposition except in Pennsylvania, which was held in line by the vigorous efforts of leading Federalists. In some of the other states the opponents were strong enough to threaten defeat, but again superior leadership brought success to the Federalists.

Action of the States

In New Hampshire when the convention assembled a majority of the delegates represented constituents who were strongly opposed to ratification. This feeling seems to have been due to misunderstanding and Anti-Federalist agitation, because according to one report, few citizens of the state had any first-hand acquaintance with the document. Tobias Lear wrote to George Washington: "I was surprised to find . . . that so little information respecting the Constitution had been diffused among the people. The valuable numbers of *Publius* are not known. . . . The debates of the Pennsylvania and Massachusetts Conventions have been read by but few persons; and many other pieces, which contain useful information have never been heard of." Because of the strength of the opposition the Federalists had to utilize the strategy of delay; they secured an adjournment from February until June. By dint of much effort enough delegates were converted to the Federalist cause to risk a vote. When the test came, the convention voted for ratification by a majority of ten: fifty-seven to forty-seven.

When Massachusetts chose the delegates to her state convention, impressions left by Shays's Rebellion were still vivid and Shays's followers were well represented in the convention. Benjamin Lincoln wrote to Washington: "Many of the insurgents are in the Convention, even some of Shays's officers. We could hardly expect anything else; nor could we . . . justly suppose that those men, who were so lately intoxicated with large draughts of liberty, and who were thirsting for more would . . . submit to a Constitution which would further take up the reins of Government, which, in their opinion, were too straight before."

For a time Samuel Adams opposed the Constitution, and he never really approved it. The most that his friends could accomplish at first was to induce him to refrain from open agitation against it; at the end he voted for

ratification. John Hancock remained in doubt until he was able to see on which side the majority lay. In some sections of the state feeling against the Constitution was so strong that forty-six towns refused to send delegates to the convention. Had they been represented the outcome might have been different. The final vote in the convention was 187 for ratification, 168 opposed. Delegates from the counties where Shays had a large following voted against ratification: Berkshire County 7 for, 15 against; Hampshire County 19 for, 33 against; Worcester County 7 for, 58 against.

In New York Hamilton estimated that more than half the people were Anti-Federalist. Hamilton, Jay, and other influential leaders secured a majority of the delegates, but their margin of victory was narrow, only 30 to 27.

According to Patrick Henry three-quarters of the Virginians were opposed to ratification, and in some counties the percentage was higher, up to ninety. In the Virginia convention the Federalists planned every step in advance, even to the selection of all makers and seconders of Federalist motions. The speakers were chosen for their influence and reputation. By dint of the hardest work by the Federalists Virginia ratified, by a vote of 89 to 79. Had it not been for the influence of such men as Madison, Marshall, and Washington the Federalists might have suffered defeat.

The contest was one of the most sharply fought and the closest in American history. In many of the states the two parties were so evenly balanced that professional politicians could not predict the outcome of the voting. John Marshall wrote later: "Indeed it is scarcely to be doubted that in some of the adopting states a majority of the people were in the opposition. In all of them, the numerous amendments which were proposed demonstrate the reluctance with which the new government was accepted." Two states, Rhode Island and North Carolina, did not ratify until after the new federal system was established and in operation. These two communities of the chronically opposed eventually came into the Union not because of any real change of opinion, but because of the possibility of commercial pressure by the other states.

A Close
Contest

The Federalist success represented a victory for the leaders of the mercantile and commercial groups, men with vision enough to appreciate the economic possibilities of this country, and with ambition enough to want to develop them. For a time they had the support of part of the planter class in Virginia, particularly of James Madison. In general the farmers of the South were opposed to this element.

Washington, the New Government, and Foreign Policy

ESTABLISHING THE NEW SYSTEM

ON JULY 2, 1788, the president of the Continental Congress, then sitting at New York, announced that nine states had ratified the Constitution. Congress then directed the states to arrange for the choice of Presidential electors on the first Wednesday in January, 1789; the electors would cast their ballots for President and Vice-President on the first Wednesday in February; the new Congress would assemble in New York on the first Wednesday in March.

Washington
for President

While the Continental Congress was thus preparing for its own demise, Alexander Hamilton was choosing candidates for the Presidency and Vice-Presidency. His selection for the first post was George Washington, and he endeavored to overcome the General's reluctance to embark upon a political career. "I take it for granted, sir, you have concluded to comply with what will no doubt be the general call of your country in relation to the new government. You will permit me to say that it is indispensable you should lend yourself to its first operations. It is of little purpose to have *introduced* a system, if the weightiest influence is not given to its firm *establishment* in the outset." Hamilton urged the selection of John Adams as Vice-President, so that Adams would not be placed in an important office.

Washington was ideally suited to be the first President. He would bring to the office not only the prestige of a great name but the solid qualities of sound judgment and understanding. The Revolution had furnished proof of his courage and determination. He had wide experience in dealing with both men and public affairs. His success in the conduct of his plantation and his real estate was evidence of administrative ability, as a result of which he had become one of the wealthiest men in the country. He could therefore look upon public office as a public trust, not as a means of increasing his private income. Had he considered merely his personal feelings, he would have preferred to remain in private life. However, if his country wanted him, he would consent to serve.

His country did want him, and when the electors met in their respective states Washington received every vote. John Adams of Massachusetts was elected Vice-President. Because of the difficulties of communication and travel, several months elapsed before the new government could be installed. The new Congress was supposed to assemble on the first Wednesday in

March, which happened to fall on the fourth; largely by accident, therefore, March 4 became the date for inaugurating a new administration. But on the date appointed, so few Senators and Representatives had arrived in New York that neither house of Congress could organize; they did not begin work together until April 5. After that, Washington and Adams had still to be notified of their election. They were inaugurated on April 30. Washington's first term therefore was cut eight weeks short of the full four years.

As the most immediate need of the new federal government was revenue, on April 8, 1789, Congress began its debate on a tariff law. Because of conflicting sectional interests progress was slow, and the bill was not even signed until July 4; it went into effect August 1. In addition to providing revenue it afforded a little protection to American manufacturers. To encourage American shipping, this tariff act allowed a discount of 10 per cent on the duties of all goods imported in American vessels. Then Congress passed a navigation act, levying a tax, or tonnage duty, on all ships entering American ports. This tax was collected at the rate of six cents per ton on American ships, twenty cents on ships built in the United States but of foreign registry, and fifty cents a ton on all others.

Tariff and
Navigation

Because of the outbreak of war in Europe shortly after the measure was adopted and of the resulting increase in all neutral shipping, it is difficult to estimate accurately just how the tonnage act affected American shipping. In 1790 American vessels carried less than 50 per cent of the commerce between the United States and Great Britain; by 1800, thanks partly to the war, partly to the Jay Treaty, and partly to the tonnage act, they were carrying nearly all of it. Thus within a few years some of the prophecies which had been made concerning the economic advantages of the Constitution were already being fulfilled.

With these important economic measures out of the way, Congress enacted a series of laws to complete the work of organizing the branches of the federal system. During the first summer President Washington signed the law creating a Department of Foreign Affairs (later called the State Department), the bill for a War Department, and the measure establishing the important Treasury Department. Early in the fall came the judiciary bill, authorizing the appointment of a chief justice and five associate justices for the Supreme Court. The same measure provided for four circuit courts, thirteen district courts, and an Attorney-General.

Organizing
the
Departments

As head of the Department of Foreign Affairs Washington selected Thomas Jefferson, author of the Declaration of Independence and more recently American minister to France. Virginians had been seriously disturbed over the Jay-Gardoqui negotiations, and this appointment was made partly to reassure them. The headship of the War Department went to Henry Knox of Massachusetts who, like Washington, was a veteran of the Revolution. Edmund Randolph of Virginia, one of the prominent Federal-

ists in the recent Convention, became Attorney-General. The most important office of all at that time, that of Secretary of the Treasury, went to Alexander Hamilton, a genius in finance, government, and politics. Born in the West Indies, he had come to New York early in his youth. During the Revolution he had served on Washington's staff; the commander-in-chief had found him to be a man of unusual intellectual powers, abounding in energy, full of initiative and self-confidence.

The delegates in the Federal Convention had planned to have the Senate serve in a dual capacity, first as an advisory body for the President, and second as the upper house of the national legislature. Precedent could be found for such an arrangement in the work of the colonial councils. But Washington had an unpleasant time when he consulted the Senate for advice, so he hit upon the expedient of using his heads of departments. This group became known as the Cabinet, and although there is no specific constitutional authorization for such a body, its place is clearly recognized by established custom.

Hamilton's Influence

Hamilton was the outstanding leader in Washington's cabinet, and he did not confine his activity to executive circles. He even assumed responsibility for putting the administration's program through Congress. He attended committee meetings, used his personal influence to bring members into line, and then saw to it that they voted his way. Hamilton believed in the rule of the rich. Wealthy property owners, merchants, financiers, and manufacturers, so he argued, should govern the country. More than this, he thought that the government should attempt to promote the well-being of such groups by giving them definite advantages. During 1790 and 1791, Hamilton described his financial policies and plans in a series of four great reports: two on the public credit, one on banking, and one on manufactures. Then he had the specific recommendations of these reports incorporated in bills for Congress to pass.

His first proposals dealt with the payment of the public debt and the establishment of American credit. By 1790 the foreign debt, including arrears of interest, had increased to \$11,710,378; the domestic debt amounted to \$42,414,085. There was little controversy over the money owed abroad; everyone agreed that it should be paid in full. But the domestic debt was different. During the Revolution the Continental Congress had issued a variety of certificates—carefully distinguished from the Continental notes, or paper money—to pay for supplies and for soldiers' wages. Little or none of this paper was worth its face, or par, value when issued; by 1790, its market value had sunk to about twenty-five cents on the dollar.

Paying the National Debt

In his first report on the public credit, Hamilton urged payment of this indebtedness at full par value, regardless of its past history. The new government needed credit to succeed; to obtain this it must prove its financial soundness and honesty by meeting all obligations. He would, therefore, call

in the outstanding certificates and give in exchange United States bonds, with fixed rates of interest. This arrangement was called funding.

Not all members of Congress approved of his policy. They believed that there was no excuse for giving a higher value to the certificates than they had when issued and that to do so would add unnecessarily to the financial burden of the new government. Furthermore, much of the paper had passed out of the hands of the original holders, so that those who had suffered losses on it would not get the benefit of payment at par. The only gainers would be speculators, who began to buy the paper from owners who had not heard the news. Anti-Federalists called the plan unjust. Even James Madison, who had been a strong Federalist in the beginning, went over to the other side and became the Congressional leader of Hamilton's opponents. But Hamilton had his way, and the funding bill passed.

In carrying his point Hamilton was so persistent that he brought considerable adverse criticism upon himself. Senator Maclay of Pennsylvania believed that Hamilton personally profited from speculation in securities: "I came down-stairs," Maclay recorded in his *Diary*, "and all the speculators, both of the Representatives and city, were about the iron rails. . . . The Secretary and his group of speculators are at last, in a degree—triumphant. . . . Everything, even to the naming of a committee, is prearranged by Hamilton and his group of speculators. . . . I verily believe the sun never shone on a more abandoned composition of political characters." Payment at par enabled numerous speculators to clear small fortunes, but it also put American credit upon a solid and enduring basis.

With the national debt out of the way Hamilton's next move startled the Anti-Federalists into another outbreak of rage. This was a proposal to assume that part of the state debts which had been incurred on account of the Revolution. The amount involved was somewhat over \$21,500,000. Hamilton argued that these obligations had been made necessary by the war, a common cause, for which the nation should pay. Also he said that by tying the creditors up to the federal government the national system would be strengthened. Then he pointed to the wisdom of clearing up the wide variety of local securities in circulation.

Assumption
of State
Debts

This assumption measure, under which the holders of state paper would turn it in for federal bonds, had the backing of the Federalists. If some of them had been given their way, the policy would have been incorporated in the Constitution itself. On August 18, 1787, the Journal of the Convention recorded the appointment of a committee, consisting of one member from each state, "to consider the necessity and expediency of the debts of the several States being assumed by the United States." Sentiment was strong in support of the proposal. Elbridge Gerry argued that "some provision ought to be made in favor of public Securities." Rufus King advocated assumption on grounds of justice and policy, and also as a matter of political expediency: "it might be remarked that the State Creditors an

active and formidable party would otherwise be opposed to a plan which transferred to the Union the best resources of the States without transferring the State debts at the same time." The Convention settled this debate by giving Congress power to pay the debts, without mentioning the state debts by name.

The funding measures had gone through in the face of bitter opposition from the agricultural representatives in Congress, and these same forces were determined to defeat the assumption plan. Although Hamilton used his influence over Congress—his favorable attitude toward the speculators had made him many friends—on the merits of the case he would have been beaten. But chance threw in his way a log-rolling scheme, by means of which the assumption plan became law. Among other measures Congress had been discussing the location of the federal capital, and in the South there was a feeling that it should be located on the Potomac. Hamilton cared little for that issue, but he realized that it might be used as trading material. In talking with Jefferson, he mentioned the possibility of getting northern votes for the Potomac site, in return for southern votes for assumption. Jefferson called Madison into conference, the upshot of which was a dinner for the three statesmen. There an agreement was reached, the assumption plan became law, and the national capital was placed on the Potomac.

**The United
States Bank**

The third project on Hamilton's list was the United States Bank, in which the government would own one-fifth of the capital stock. Hamilton knew that the notes of a sound bank would furnish a good substitute for gold and silver money, of which this country never seemed to have enough. Such a bank would also help the government in handling its financial problems, and furnish a safe place of deposit for public funds.

Hamilton's proposal started a lively debate. Jefferson argued that Congress had no authority to create the bank. He held that the first paragraph of Section 8, Article I of the Constitution gave Congress power to levy taxes for the purpose of paying the debts and providing for the common defense and general welfare, but he said that a bank was not necessary. As for the final paragraph of this same section, the "elastic clause," which gives Congress authority to make all laws "necessary and proper" for carrying into effect the enumerated powers, Jefferson argued that they could all be made effective without a bank, and that a bank was neither necessary nor proper.

Hamilton placed a different interpretation upon the "elastic clause." It was designed to give Congress implied powers, he said, which could be exercised as long as they did not conflict with specific restrictions on congressional action. These implied powers justified the establishment of the bank. Washington, agreeing with Hamilton, gave his approval to the theory of broad, or loose, construction of the Constitution, as distinguished from Jefferson's theory of strict construction. Again Hamilton was victorious and the Bank was established. The law authorized the issue of

capital stock to the amount of ten million dollars, one-fifth of which was held by the United States. The Bank could issue notes, transact ordinary banking business, and receive federal deposits.

In order to meet the annual installments due on the public debt, the treasury needed more revenue than the first tariff law would produce. Partly to raise more money and partly to give wider publicity to the new government, Hamilton proposed an excise law, among the provisions of which was a tax on distilled liquor. Congress passed the measure in March, 1791. Hamilton favored the excise because it would increase the number of federal officials and so keep the federal machinery before the public eye. The more conspicuous the new government, the brighter were its prospects for success.

Excise and
the Whisky
Rebellion

Frontiersmen did not agree with him. The pioneers always lacked adequate transportation facilities, and out of this trouble came the popularity of the private still. Corn was bulky, practically impossible for many of the frontiersmen to sell directly. Some fed it to hogs and drove the animals to market. Others made it into whisky. A farmer in eastern Pennsylvania, for instance, could load his horse with two eight-gallon kegs of whisky worth fifty cents a gallon at his home, and take it east over the mountains where whisky sold for a dollar a gallon. This trade explained the existence of five thousand stills in Pennsylvania.

This new tax on stills was looked upon as an unjustifiable deduction from farmers' incomes and in western Pennsylvania disaffection soon came to a head. In 1791 and 1792, mass meetings were held, denouncing the law. In 1794, when the federal authorities tried to serve writs on unlicensed distillers, open rebellion broke out. Acting on the advice of Hamilton, President Washington called on the governors of four states for militia forces. Fifteen thousand troops marched into the zone of trouble and scattered the rioters. Of the few who were caught, two were convicted and imprisoned, but Washington pardoned them. But the fate of the individuals concerned was not the most important aspect of the Rebellion. What really counted was the proof afforded that the new national government could collect the taxes which it levied.

In his fourth report, on manufactures, Hamilton said that the national government must protect American industries. Newly established enterprises could not sell their goods at the low price levels of foreign manufacturers. If the government would put a high tariff on imports, foreign goods could be kept out altogether. In this way infant industries not yet able to stand on their own feet could be made strong and prosperous. Of course American consumers would have to pay higher prices, but even so the loss was not real. The growth of manufacturing towns and cities would create additional demands for foodstuffs. With a prosperous home market, the farmers would be less dependent on exports. In 1792, Congress revised the tariff in order to give additional protection to American industries. Hamil-

Economics
and Politics

ton's policy was now complete. He had started with the aim of encouraging the rich and the influential classes to support the federal government. To that end he gave the financiers the funding and assumption plans; to the businessmen he gave the bank; to the manufacturers, the tariff. To conservatives generally he gave the benefits of good government and the peace of mind that goes with security. And yet, in giving Hamilton the credit which he deserves, it must be remembered that financial ventures are like revolution: they are good or bad in proportion to the degree of success or failure. Hamilton had luck. The wave of prosperity was already flowing strongly when he entered office, and it carried his measures along on the crest. It was not the Constitution which brought prosperity; prosperity contributed to the success of the new government.

The Bill of Rights

Another important development of this first national administration was the adoption of the Bill of Rights, in the form of the first ten amendments to the Constitution. Some of the state ratifying conventions had given their approval to the new regime with a tacit understanding that it would be improved in accordance with their demands. By the time the first Congress took up the matter, interested parties had submitted a total of 124 proposed amendments. After several weeks of discussion the Senate and the House agreed upon twelve. These twelve were submitted to the states, and ten were ratified. The first eight amendments in the Bill of Rights were designed to protect individuals from tyrannical action on the part of the national government. Congress was forbidden to pass laws for the establishment of any religion, or for the prevention of freedom of belief or worship; Congress was not allowed to interfere with the freedom of speech or of the press, or with the right of the people to assemble and to petition for redress of grievances. The national legislature has always respected this Bill of Rights except in time of war or threatened war, when it has curtailed freedom of speech and of the press. Congress may not deprive the people of the right to bear arms. Amendments four to eight, inclusive, guarantee to the people the famous rights of Englishmen, those safeguards of individual liberty which the people had compelled the king to grant. Americans were secured against "unreasonable searches and seizures" and against illegal search warrants; they were not to be subject to illegal arrest, or to loss of life, liberty, or property without due process of law; they were assured of the right of trial by jury in both criminal and civil cases; they were protected against excessive bail, excessive fines, and cruel or unusual punishments. The ninth amendment made it clear that the mention of certain rights should not be used to deny other rights not specifically named. The tenth and last in this series reserved to the states and to the people the powers not delegated to the national government, or prohibited to the states. These first ten amendments became effective in December, 1791.

THE FRONTIER

Among the forces which had helped to create the demand for a new government was the desire to solve the problems of new communities on the frontier. The old Congress had not been able to do anything for Vermont, Kentucky, or Tennessee. In Washington's administration the new Congress felt strong enough to act. In 1791 the Kentuckians drew up a state constitution, organized and put into office a new state government, and chose Representatives and Senators to the federal Congress. Congress voted to admit Kentucky as a state, setting the date of admission as June 1, 1792. By this time the population had grown to one hundred thousand. In February, 1791, a few days before the vote to admit Kentucky, Congress had decided to bring Vermont into the Union, and on March 4, 1791, Vermont became the fourteenth state. In 1796 the number of states in the Union was raised to sixteen with the admission of Tennessee. Both Vermont and Tennessee, like Kentucky, adopted the principle of universal manhood suffrage, although ownership of property was still a prerequisite for office-holding.

New States

Not all the problems of the frontier could be solved so simply. In 1790 the federal government did succeed in making peace with the Creek Indians in the Southwest, but in the Northwest the relations with the Indians became steadily worse. In this year of the Creek treaty the American commander in the Northwest, General Josiah Harmer, suffered a humiliating defeat. The next year General St. Clair, with a force of two thousand men, was subjected to a still more decisive defeat. His men became panic-stricken; they threw away their arms and retreated a full thirty miles. Out of the two thousand, fifty came through uninjured. By that time the Indians were becoming more and more bold. They made almost continuous raids upon the scattered American settlements and, encouraged by their victories and by British agents, they were demanding a large slice of the Northwest Territory for themselves.

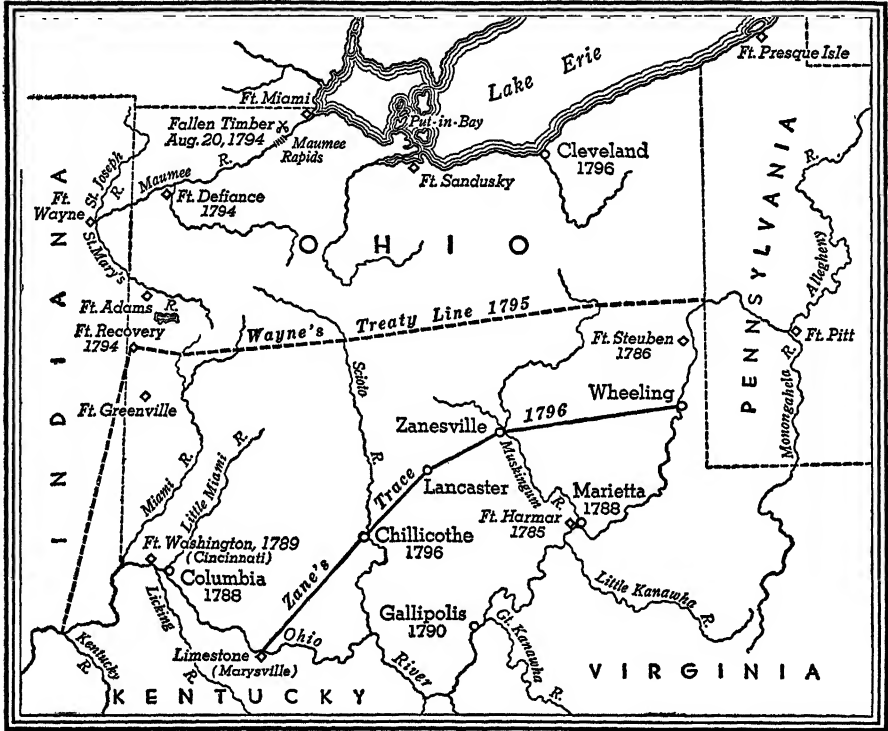
Indian
Troubles

Realizing how critical the situation had become, Washington appointed General Wayne, the "Mad Anthony" of Revolutionary days, to take charge of the section. In 1793, after spending a year in drilling a new army, Wayne made a fruitless effort to settle the trouble without further war. But British agents broke up whatever peace sentiment there might have been, and Wayne was forced to fight. Alarmed at Wayne's methodical preparations, the British established a strong outpost on the Maumee, thirty miles south of Detroit, so that, no matter what Wayne did to the Indians, he would find it difficult to attack the Northwest posts. Early in 1794, Lord Dorchester, the governor of Canada, made a speech to a delegation of Indians, in which he asserted that the Americans had no rights in the Territory, and practically promised to give the Northwest Territory back to the Indians. It mattered little that Dorchester was officially reprimanded for his ill-advised

utterances. The Indians understood the speech and never heard of the censure, so they persisted in defying Wayne's army.

In June, 1794, the American troops began to move. In August, Wayne came upon a large force of Indians assembled within two miles of the British position south of Detroit. In the battle of Fallen Timbers he won a brilliant victory, and followed it up by destroying Indian supplies and prop-

Victory at
Fallen
Timbers



MAP 14. WAYNE'S CAMPAIGNS IN THE NORTHWEST TERRITORY.

erty for miles around. A year later, in 1795, Wayne negotiated the Treaty of Greenville with the Indians, which ended their power in the old Northwest, and opened to settlement the parts not occupied by the British. The treaty provided for a boundary line running from the Ohio to Fort Recovery, then to the Muskingum River, and thence due north to Lake Erie. The Indians agreed to stay north and west of that line. In making this agreement with the Indians, Wayne had the help of Jay's Treaty with England (see page 257) in accordance with which the British prepared to give up the Northwest posts.

THE FRENCH REVOLUTION

During this interval of Indian warfare, a situation developed in Europe which profoundly affected the interests of the United States. In 1789 the

French Revolution started. Because of French help in their war against England and because of the Treaties of 1778, the American people were directly interested in the affairs of France. At first many Americans sympathized with the French and wanted to help them as the French had helped us. "Jacobin Clubs," named after revolutionary societies in France, appeared in the United States, crowds sang the *Marseillaise*, the new French national air, and people even began to salute each other as "Citizen," after the Revolutionary French manner, instead of saying "Mister."

Sympathy for
France

In Congress, opinion was divided between the "Jacobins," or pro-French party, and the "Anglo-men." President Washington and most of his cabinet were sympathetic with the British, but Jefferson, the Secretary of State, was pro-French. As long as the French Revolution remained within the confines of France, pro-French feeling in the United States was a matter of no great consequence. But when the struggle spread beyond the French border, and particularly when the new French government went to war with England in February, 1793, foreign sympathies of American citizens might prove dangerous. If Anglo-men and Jacobins felt as strongly toward each other as their vituperative blasts in the press seemed to indicate, the war in Europe might even bring on civil war.

One of the first problems demanding American official attention was that of the status of the new regime in France; should the United States accord recognition to the revolutionary government? Secretary of State Jefferson said yes. "It accords with our principles," he wrote, "to acknowledge any Government to be rightful which is formed by the will of the nation, substantially declared." The new government was recognized.

Early in 1793 Washington wrote to Jefferson: "it behooves the Government of this country to use every means in its power to prevent the citizens thereof from embroiling us with either of those powers, by endeavoring to maintain a strict neutrality." Then the President consulted his Cabinet—not the Senate—for advice on specific issues in the Franco-American situation. Should the United States issue a formal notice of neutrality? Should the American government receive a diplomatic representative from the new government in France? Were the treaties of 1778 still in force? Washington's advisers all approved the policy of neutrality and they agreed that Jefferson should receive the new French minister. Concerning the treaties both Hamilton and Jefferson came practically to the same conclusion, although they reached it by different lines of reasoning. Hamilton wanted a statement that the treaties were not in force; Jefferson said they were still binding, but that they could be suspended until the situation in France cleared up. Both advisers favored peace.

American
Neutrality

In accordance with the advice of his Cabinet Washington issued a proclamation of neutrality—although the word neutrality does not appear in it. According to this formal notice, both the duty and the interest of the United States required it to adopt a friendly and impartial course toward both

belligerents. American citizens were warned to refrain from any acts or proceedings which would conflict with such a course. The proclamation informed all citizens that if they participated in the war or carried contraband to the belligerents they would forfeit any claim to the protection of their own government. In the following year, 1794, Congress reinforced this executive proclamation with a neutrality law. This measure prohibited Americans from enlisting, or accepting commissions in belligerent armies, and from sending out military or naval expeditions from bases in this country.

In these official measures of 1793 and 1794 were the foundations of a major American foreign policy, one that was continued without a break to 1915. The United States proclaimed that its interests were separate from those of Europe, that it would not be a party to the wars of Europe. Here was a formal announcement of the American policy of isolationism. But this was political isolation only, not economic. The government did not take sides; American citizens nevertheless were free to carry on whatever trade they could in contraband and non-contraband alike, with both sides, subject to the power of either belligerent to stop contraband trade with the other. Non-contraband commerce was supposed to be under the protection of international law and the United States government made an effort to uphold the rights of American citizens who took part in such trade.

Citizen Genêt

On the very day when President Washington's proclamation of neutrality was published, the administration received important news from South Carolina; Citizen Edmond Charles Genêt, minister of the first Republic of France, had arrived at Charleston two weeks earlier. The policy of neutrality had been adopted in anticipation of the French minister's arrival; it now remained to be seen how the new agent would behave. Without waiting to observe the usual amenities of diplomatic intercourse, which would have required him to proceed to Philadelphia, present his credentials, and then await formal reception by the Secretary of State, the impetuous young Frenchman began work at once. Acting in accordance with his instructions he made plans for two military expeditions, one against Louisiana, the other against Florida. Then he prepared to issue French army commissions to Americans who cared to serve. George Rogers Clark, veteran of the Revolutionary campaigns in the Northwest, was one of those who offered to sign up with Genêt. In this work he violated international law and flouted the President's proclamation of neutrality. "I excite the Canadians . . . I arm the Kentuckians . . . I prepare a naval expedition [against] New Orleans." So the minister reported to his government. So infectious was the minister's enthusiasm that for a time even Thomas Jefferson seemed to favor a French attack upon Spanish Louisiana. "Mr. Jefferson seemed to me to be quickly sensible of the utility of the project," Genêt wrote. Of course the United States could not give official help, but Jefferson told Genêt

that "a little spontaneous irruption of the inhabitants of Kentucky in New Orleans would advance matters."

To make sure of the necessary pro-French attitude in America, Genêt was instructed "to direct opinion by means of anonymous publications. . . . The Boston and Baltimore gazettes will be the best ones to use for distributing such publications. . . ." In addition to his efforts in the related fields of military activity and propaganda, Genêt commissioned privateers, which set out from American ports to prey upon British commerce. Here again the minister violated international law and the Treaties of 1778, but he carried out his instructions. Genêt organized a Jacobin Club in Charleston, and then started north, to begin direct negotiations with the State Department. His trip became a great triumphal journey, and as he moved from place to place, he took pains to stir up hostility against Great Britain. Once in Philadelphia, he was officially received with a coolness in sharp contrast to the enthusiasm shown elsewhere. The impulsive minister concluded that the government did not represent the people, and that in view of the evidence of popular support, he could ignore both President Washington and the Secretary of State.

Reasons for
His Recall

His manifold activities drove the State Department to desperation. French privateers were bringing in prizes; they even seized one vessel, the *Little Sarah*, in American waters. The State Department promptly demanded her release, but Genêt, denying the right of the government to act, christened her *La Petite Democrate* and sent her out as a privateer. Jefferson could no longer tolerate Genêt. He wrote Madison:

I believe it will be true wisdom in the Republican party to approve unequivocally of a state of neutrality to abandon Genêt entirely with expressions of strong friendship and adherence to his nation. . . . I have been myself under a cruel dilemma with him. I adhered to him as long as I could have a hope of setting him right. . . . Finding at length that the man was incorrigible I saw the necessity of quitting a wreck which would but sink all who should cling to it.

In August, 1793, Jefferson officially requested the French government to recall its exuberant representative:

He arms vessels, levies men, gives commissions of war. . . . When the Government forbids their citizens to arm and engage in the war he undertakes to arm and engage them. When they forbid vessels to be fitted out in their ports . . . he commissions them to fit and cruise. Not satisfied with "using our force . . . in the military line," he presumes to direct the government itself "and particularly for the Executive and Legislative bodies to pronounce what powers may or may not be exercised by the one or the other."

Jefferson
Loses
Patience

Nowhere in this request for Genêt's recall is there any specific reference to the charge that he threatened to appeal to the American people against their government, although this charge was widely circulated later. Evi-

dently the alleged appeal was a fabrication, designed to arouse feeling against the French. It was sponsored by the Federalists, without satisfactory proof; Genêt himself characterized the allegation as "an insidious artifice and a perfidious lie." Genêt was recalled, though he never went home. Washington refused to permit his arrest and deportation, and so saved his life. During his absence in America his friends, the Girondists, had given way to the radical Jacobins of "the Mountain," and they made no secret of their desire to send Genêt to the guillotine. He settled on Long Island, married a daughter of George Clinton of New York, and lived practically in retirement until 1834.

NEUTRAL TRADE

Commercial Opportunities

The European war created new commercial opportunities, and American merchants were quick to take immediate advantage of them. In February, 1793, France opened her colonial ports to American shipping. European governments found the British navy standing between their home ports and colonial possessions at the very time when their need for raw materials and foodstuffs was abnormally high. Holland, France, and Spain found trade with their colonies cut off, unless the trade could be handled by neutral ships. The United States was peculiarly well situated geographically to profit from this situation. The war therefore turned over most of the carrying trade of the western world and some of the eastern as well to American ships and created a profitable market in Europe for North American foodstuffs. Colonial products such as sugar, coffee, cocoa, pepper, spices, and indigo, were carried by American merchants directly to Europe, or perhaps to ports in the United States from which they could be transhipped to Europe. Then manufactured goods from Europe and particularly from England were brought back to the United States, the West Indies, and South America. France and her colonies would pay generously for American food supplies; this demand raised the prices for agricultural products to the highest level ever reached up to that time. During the war the average price of flour was \$9.12 per barrel, as against an average price of \$5.41 before 1791 and \$5.46 in the 1820's. American tonnage engaged in overseas trade more than doubled during the war years, while in the decade from 1791 to 1801 American exports increased almost five-fold. The following table gives a vivid illustration of this result of the war.

EXPORTS FROM THE UNITED STATES, 1791-1801

Year ending September 30,	1791	.....	\$19,012,041
" " " "	1792	.....	20,573,098
" " " "	1793	.....	26,109,572
" " " "	1794	.....	33,026,233
" " " "	1795	.....	47,989,472
" " " "	1796	.....	67,064,097
" " " "	1797	.....	56,850,206
" " " "	1798	.....	61,527,097

Year ending September 30, 1799	\$78,665,522
“ “ “ “ 1800	70,971,780
“ “ “ “ 1801	94,115,925

Under the circumstances Great Britain could hardly have been expected to let this trade continue without making an effort to stop it. The Cabinet saw the work of the English navy regularly frustrated by this neutral commerce, and British merchants uneasily watched the steady growth of a rival merchant marine. To protect themselves the English authorities insisted upon their own interpretation of international law. They held that enemy-owned goods might be seized and confiscated even if carried in neutral vessels, and they favored a broad definition of contraband. Great Britain also insisted upon the observance of the Rule of 1756, that trade closed in time of peace could not legally be opened in time of war. Officers of the royal navy stretched to an extreme their rights of visit and search, and made themselves obnoxious by impressing seamen, taking both Englishmen and bona fide Americans. In June, 1793, the Privy Council issued an order authorizing the seizure of all vessels laden with grain or flour. In the following November the British issued a second Order in Council, but kept it secret until their privateers and warships had time to reach West Indian waters. This order directed British naval officers to seize all ships laden with French colonial products, or carrying provisions to these colonies. By March 1, 1794, 250 American ships had been seized. The British paid for what they took, but at prices fixed by themselves.

British
Regulations

The Americans needed a legal basis for protesting against this high-handed British policy; they found one in certain principles of international law which had been proclaimed in part by the armed neutrals of the American Revolution. The Americans held that free ships made free goods, that is, belligerent-owned property carried in neutral vessels could not be legally seized, except contraband of war. Or they held that the flag covers the cargo, and so made even enemy goods safe from capture. They called attention to the doctrine of the freedom of the seas. Principles of international law, however, did not enforce themselves, particularly when the principles were not approved by the greatest naval power in the world.

American
Principles

As one means of retaliation against Britain, the United States proclaimed a temporary embargo. In Congress more radical expedients were suggested, one going so far as to provide for the suspension of all commercial intercourse with Great Britain until she had indemnified American merchants for her arbitrary seizures, and until she agreed to surrender the Northwest posts. Washington knew that the passage of such an arbitrary measure would mean war, and at the time circumstances made it imperative upon him to avoid war. In 1794 the federal government was still an experiment, depending for its success upon a regular income. Furthermore, exasperating as the British maritime policy had been, it had not been bad enough to prevent a steady and substantial increase in American commerce. War would

have sacrificed both federal revenue and neutral trade; with these assets destroyed, the federal government might have been doomed. Washington, therefore, was insistent upon peace as long as peace was possible: "Peace ought to be pursued with unremitted zeal before the last resource, which has so often been the scourge of nations, and cannot fail to check the advancing prosperity of the United States, is contemplated." Furthermore domestic troubles in the United States made peace imperative. This was the era of the Whisky Rebellion and of Indian uprisings in the Northwest.

Jay's Mission

Even before the enactment of the temporary embargo Federalist leaders were talking of a special mission to England designed to settle outstanding points at issue. Hamilton was the first choice for the proposed mission, but the Democratic-Republicans would have prevented his appointment. Hamilton in turn recommended John Jay for the post, and Washington gave him the place. Jay, it will be recalled, had taken a conspicuous part in making the Treaty of 1783.

Jay was instructed to secure from the British government formal recognition of rules covering neutral trade. Then he was ordered to insist upon indemnities for slaves illegally seized by the British during the Revolution; in return for this concession the United States would agree to indemnify the British for losses on account of American debts owed to British merchants on the eve of the Revolution. Some of the states had placed legal obstacles in the way of the collection of such debts. Both parties would agree to a policy of disarmament for the Great Lakes. Furthermore, Jay was ordered unequivocally to secure commercial privileges in the West Indies for American ships of limited tonnage. Then he was expected to bring about the withdrawal of British troops from the Northwest posts.

Arriving in England in June, 1794, Jay went immediately to work. In spite of the relative weakness of his country, Jay was, or might have been, in a position strong enough to insist upon concessions. Wayne was moving against the Indians and his victory at Fallen Timbers in August seriously weakened the British hold on the Northwest. Also some of the nations of northern Europe were then considering the plan of a league of neutrals similar to the armed neutrality of the American Revolution. They were ready to admit the United States to this league. Such a combination might have deprived England of supplies essential to the continuance of her struggle with France. At the time England had no wish to increase the number of her enemies, and she was particularly anxious not to lose her valuable export trade to the United States.

Jay's Treaty

No one can tell how much Jay might have secured if he had been given proper support, but for some reason which has never been satisfactorily explained, Hamilton ruined his chances. Jay's strongest hope lay in holding over the head of the British government the threat of American participation in the proposed league of European neutrals. But Hamilton secretly informed the British minister, Hammond, without letting even Jay know,

that the United States would have nothing to do with any European league.

Signed on November 19, 1794, Jay's Treaty provided that certain disputed points, including the New England boundary line, indemnities for shipping seized, and American debts owed to British merchants were to be settled by joint commissions. The Northwest posts were to be evacuated by June 1, 1796. With reference to commerce, the Americans were allowed free trade from Vermont with Quebec and Montreal, and the East Indian trade was opened to Americans without restrictions. For the all-important West Indian trade, Article XII of the treaty opened it to American vessels, of not over seventy tons burden, on the express condition that the United States should agree to export no molasses, sugar, coffee, cocoa, or cotton, no matter where grown, to any foreign country. Concerning neutral rights on the high seas, the treaty said nothing at all.

The Senate refused to accept Article XII and the British government accepted the amendment, so leaving the English West Indian trade where it had been: legally—but not completely—closed to Americans. Although the document was not satisfactory, it was better than nothing. After considerable hesitation, Washington approved it and sent it to the Senate. It was bitterly criticized there, but eventually it was ratified. The House for a time refused to appropriate certain sums of money called for by the treaty. In the country at large the treaty and the administration responsible for it were violently attacked, and Jay himself, burned in effigy in the seaport towns, became the target for unmeasured abuse.

Evidently Jay's Treaty created a more favorable impression in Europe than in the United States. In any case it was good enough and important enough to exert a profound influence upon Spain. That decrepit government felt grave concern at the news of the Anglo-American agreement. What if it should be the preface to a formal alliance? Visions of the loss of Florida, Louisiana, and Mexico began to trouble the Spanish foreign office, and the officials decided to curry favor with the American republic. On October 27, 1795, Thomas Pinckney obtained the Treaty of San Lorenzo. This opened the Mississippi to American navigation and granted the right of deposit. Furthermore Spain agreed to accept the thirty-first parallel as the boundary between Georgia and Florida. It also recognized the Mississippi as the western boundary of the United States.

Pinckney's
Treaty

Altogether, the Washington administration had made a remarkable record. Indian problems in both the Northwest and Southwest were settled, and serious controversies with Great Britain and Spain were brought to a close. The United States had proved strong enough to give the pioneers what they most needed, commercial privileges on the Mississippi, and with those secured, there was little to be gained by intrigue with Spain or England. Over and above all else, the new government had been organized and made to function so successfully that it could demonstrate its advantages. The experimental stage was over.

Politics and Foreign Policy

POLITICAL PARTIES

IN THE preceding chapter no distinction was made between Washington's first and second terms because the second Presidential election in 1792 had no direct effect upon the administration. Washington and Adams were chosen for another four years, and national policy held consistently to Federalist principles. In Congress, however, there was an important change: so many Federalist candidates were beaten that the opposition won control of the House of Representatives. From this time on, political parties were destined to have an important place in the American system of government.

There was nothing new in the idea of having the voters separated into two or more groups, each advocating some special measures or beliefs. During the colonial period political parties were active in North America, playing the game pretty much as their successors do today. The radicals responsible for the vigorous opposition to British measures were a well-organized party, particularly so after the creation of the committees of correspondence. When the Revolution was over, the Federalists and Anti-Federalists made themselves famous by their stand for and against the Constitution. These two groups did not disappear with ratification; on the contrary they continued to operate as recognized parties.

It is easier to point to the existence of political parties and to describe their operations than to tell precisely what they are. Certain essential features, however, are reasonably clear. Voters with similar interests join an organization under recognized leaders, to elect their candidates to office and to enact their measures into law. For these purposes the party maintains a series of committees, local, state, and national, which work with the voters to make their cause prevail. The members profess to believe in certain principles; they are convinced that their own party is better, and that its policies are safer than anything the opposition can produce. Loyalty to the party becomes almost as important as religion.

The Federalists furnished an excellent illustration of the various points in this definition. They were conservative in outlook, believing in government by the owners of property. Businessmen of all kinds—public creditors, merchants, lawyers, bankers, and great landowners—counted on funding, the assumption of state debts, and the National Bank to bring prosperity to

themselves, as well as to bring peace, order, and security to the country at large. Thomas Jefferson described the Federalists as "all the officers of the government, all who want to be officers, all timid men who prefer the calm of despotism to the boisterous sea of liberty, British merchants and Americans trading on British capitals, speculators and holders in the banks and public funds, a contrivance invented for the purposes of corruption and for assimilating us in all things, to the rotten as well as the sound parts of the British model."

The Federalists themselves realized that their work was far from finished when they ratified the Constitution; they would keep on, build their principles into the very foundation of the government and then manage elections so that national officials would always be well disposed to Federalist views. Because the Constitution did not in so many exact words authorize Congress to assume the states' debts, to create the Bank, or to levy a protective tariff, the Federalists advocated broad, or loose construction of the Constitution. They contended that Congress should be able to pass any law which would benefit the country unless the Constitution in so many words withheld the power. Too strict an interpretation would defeat the purposes they had in mind in framing the new system. To these principles just described—friendliness to wealth, and a broad interpretation of the Constitution—the Federalists added a third, a principle having to do with foreign affairs. Their interests demanded peace, or at least non-participation in the wars of Europe. In general the Federalists had more cordial feelings toward England than toward revolutionary France.

American
Political
Theories

After Washington's inauguration, the Anti-Federalists, who had come into prominence as opponents of the Constitution, set themselves against the rule of the financial and mercantile interests. They would accept the new system, but they would object to the way the Federalists managed it. This group included small farmers and any laborers so fortunate as to possess the right to vote. They indignantly denied the Hamiltonian doctrine that the way to promote general well-being was to legislate for the small class at the top. On the contrary, they would favor the common man.

Just as the Federalists fell back on the doctrine of loose construction to justify Hamilton's work, so the opposition demanded strict construction in order that Congress might not be able to go too far in the encouragement of business enterprise. They would have the federal legislature confine its attention to subjects specifically authorized in the Constitution. There was perhaps as much or as little principle in one case as in the other. Both groups had clear ideas of what they wanted and they were equally ready to juggle the Constitution to suit their needs.

After 1789, the Anti-Federalists changed their name. In the South they called themselves Republicans; in the North, Democrats. Sometimes they used both terms in hyphenated form. From the beginning they had been stronger in numbers than the Federalists, but they lacked organization and

Jefferson
Organizes
His Party

leadership. Their first great problem, then, was to strengthen themselves in these particulars. During Washington's first term their efforts were surprisingly successful. The outstanding Republican leader was Thomas Jefferson, Secretary of State under Washington until January 1, 1794.

While the Federalists found their inspiration in England, the Jeffersonians professed to admire the French. In the words of one of their opponents: "These People have set up the French as idols, & will sacrifice to them every thing that is wise noble, humane, just or characteristic, or what sh^d be characteristic, of Americans. They have *always* wished, & *now* ardently long to join the F, and put at risque our peace & happiness. . . ."

To make his friends and admirers politically effective, Jefferson encouraged the formation of clubs. By 1794 he had a network of "Democratic Societies," north and south, engaged in regular correspondence with one another. On May 12, 1794, the *Boston Gazette* reported the proceedings of a recent meeting of the local club—held at the "Green Dragon" tavern—known as "the Massachusetts Constitutional Society." The members heard reports of the activities of "our brethren" of Virginia, New York, Vermont, and South Carolina, and examined the constitutions adopted by these organizations. They declared themselves "impressed with the salutary effect arising from mutual correspondence between the several republican societies within the United States," because it would tend "to protect and support the rights, liberties, and independence of this country." The members ordered their corresponding committee to send a circular letter to all the societies in the United States which were "founded on republican principles." By means of these clubs the Jeffersonian Democrats in various parts of the country could work effectively together.

It was probably this very effectiveness which explains the peculiarly bitter tone of Federalist comment on these societies. The *Centinel* of Boston characterized these organizations as "the spurious, unnatural offspring of the Jacobin Societies in France; and the leaders of them are . . . factious incendiaries, who lust after domination." Their purpose, so the Federalists alleged, was "to excite an opposition to the laws, and promote insurrections." President Washington even accused them of starting the Whisky Rebellion and asked if there could be anything "more absurd, more arrogant, or more pernicious to the peace of society" than these "self-created bodies?" Washington was so strongly opposed to the political efforts of these clubs that he did his best to bar their members from public life: "I shall not, whilst I have the honor to administer the government," he wrote, "bring any man into any office of consequence knowingly whose political tenets are adverse to the measures which the general government are pursuing; for this, in my opinion, would be a sort of political suicide."

To propagate their doctrines the Democrats or Republicans established a chain of newspapers from New Hampshire to Georgia. These journals, so the Federalists complained, "have stuck at nothing, in order to deceive the

public, and to destroy the government which protects them. Lie has followed Lie, in such rapid succession that Truth . . . has been lost in the multitude of its adversaries." Federalist comment on the Jeffersonian press should not be taken too seriously. The real basis of this Federalist attack was not the character of the Democratic papers, but their political success. According to one writer in 1798 nine out of ten newspapers south of the Hudson were Democratic. One of these, the *National Gazette*, was edited by Philip Freneau, whose French parentage did not stand in the way of a most effective use of English. In issue after issue he attacked the Federalists with a virulence and want of good taste which could be matched only by his fellow editors—and by their Federalist opponents. Freneau was ably seconded by the Philadelphia *Aurora*, a sheet long noted for the venomous pen of its editor. On the other side the *United States Gazette* and the *Columbian Centinel* tried, successfully, to meet the Jeffersonians on their own ground. The result of the contest was a flood of political indecencies which could not be printed in any newspaper today.

Party
Newspapers

As early as 1792 party lines were clearly defined in the Congressional elections, but it was not until 1796 that they really appeared in a Presidential contest. In that year the Federalists nominated John Adams and Thomas Pinckney, while the Democrats selected Thomas Jefferson and Aaron Burr. In this campaign, in addition to normal domestic political issues, foreign affairs occupied a prominent place. The French were bitter over Jay's Treaty, and the French minister, Adet, took part in the campaign with both propaganda and money. He worked for Jefferson. John Adams was a man of unusual ability, broad training, and high character. Nothing could be said against him as a public official. But he had personal qualities which made him a poor politician. He was stiff, opinionated, and self-righteous, the sort of a man who loses friends more easily than he makes them.

Election of
1796

Hamilton, the directing head of the Federalist machine both during and after his term as Secretary of the Treasury, was anxious to defeat Adams, so he privately advised some Federalist electors to vote for Pinckney but not for Adams. As so often happens, reports of this maneuver leaked out, and some of Adams's friends retaliated by voting for him and not for Pinckney. Adams won the Presidency with seventy-one electoral votes, but Pinckney fell short with only fifty-nine. The second man on the list was the Republican, Thomas Jefferson, who received sixty-eight. The country therefore would have an odd arrangement with a President of one party and a Vice-President of another.

In September, 1796, in a farewell address, President Washington announced that he would retire from office at the close of his second term. He utilized this announcement to give advice to his friends and countrymen. First of all he begged them to preserve their Union, the "main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty

Washington's
Farewell
Address

which you so highly prize." Then he went on to point out the economic advantages which each section, North, South, East, and West derived from a free interchange of goods within the Union.

As for the national government, the retiring President urged the American people to support it: "Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty . . . the constitution which at any time exists till changed by an explicit and authentic act of the whole people is sacredly obligatory upon all." But Washington did not approve of political parties and he warned the people against them. He never considered the party as a necessary device to facilitate the working of a democratic system, but always as a faction, a minority, composed of unscrupulous and "unprincipled" men, working "to subvert the power of the people." He liked the principle of checks and balances. To preserve these he urged care upon all officials to see that they "confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another."

Today some of Washington's advice sounds old-fashioned:

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. . . . And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

His ideas on the subject of public finance now seem to be equally antiquated:

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars have occasioned, not ungenerously throwing upon posterity the burthen which we ourselves ought to bear.

FOREIGN PROBLEMS

The advice on foreign policy has been repeated so often that it has become hackneyed, but in the repetitions one short but most significant paragraph of twenty-four words is customarily omitted. The familiar part hardly requires another reading: "Observe good faith and justice toward all nations. Cultivate peace and harmony with all." Then come the familiar warnings to avoid "permanent, inveterate antipathies against particular nations and passionate attachments for others. . . ." He would avoid further political commitments abroad; he would "steer clear of permanent alliances. . . ." With this statement he coupled another, which for some reason is not so

widely known: "Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies."

One major reason for Washington's serious advice to his countrymen on the subject of foreign affairs was to be found in the delicate relations with France. In 1794, when Jay had been sent to England, Washington also sent James Monroe on a mission to France. Monroe, unwisely, had given assurances to the French foreign office that Jay would make no agreement with England inconsistent with American obligations to France. Technically Jay's Treaty did not encroach in any way upon the treaties of 1778. But Jay's Treaty did prohibit the fitting out of privateers in American ports and the French objected to this. Furthermore under Jay's Treaty the English navy was left free to seize American provision ships bound for France, on condition of paying for the cargoes; the French officials objected vigorously to seeing their main source of supply destroyed. By way of retaliation the Directory declared the American alliance at an end and announced that all goods destined for England would be regarded as contraband of war. In November, 1796, after the Presidential election, the Directory recalled Adet, the French minister to the United States.

Monroe, the American minister, had already been recalled by his own government. When his successor, C. C. Pinckney, went to present his credentials, the French authorities refused to receive him; they would have nothing to do with any more representatives from the United States until this country should apologize for its alleged mistreatment of France and make adequate reparation. Such was the situation when John Adams became President of the United States. Adams was as eager as his predecessor to maintain peace; he was equally determined to maintain American rights.

French Insults

Upon receipt of the news that France had insulted Pinckney, Adams called Congress in special session and outlined the situation. He said the speech of the President of the French Directory was even more alarming than his refusal to receive Pinckney.

It evinces a disposition to separate the people of the United States from the government, to persuade them that they have different affections, principles and interests from those of their fellow citizens whom they themselves have chosen to manage their common concerns and thus to produce divisions fatal to our peace. Such attempts ought to be repelled with a decision which shall convince France and the world that we are not a degraded people, humiliated under a spirit of fear and sense of inferiority, fitted to be the miserable instruments of foreign influence, and regardless of national honor, character, and interest.

Adams closed his speech with a statement that he desired peace and that he would make one more effort to reach a satisfactory settlement by negotiation. He planned to send over a special commission of three members, consisting of Pinckney, John Marshall, and Elbridge Gerry. Pinckney

Mission to
France

was included because France had to remedy the wrongs done to him upon his arrival. John Marshall was a Federalist, recognized as one of the ablest men in his party, and destined soon to become Chief Justice of the Supreme Court. Elbridge Gerry was a Jeffersonian Democrat from Massachusetts, but a friend of President Adams. His trip to Paris as a member of the tripartite commission was his first venture into the maze of diplomacy; it was also his last. In their instructions the envoys were directed to see that "no blame or censure be directly, or indirectly, imputed to the United States." Furthermore they must be sure that any engagements entered into were consistent with Jay's Treaty. The negotiations began in October, 1797, and the three Americans attempted to deal with officials of the Directory. All the members of that notorious government were corrupt, but some of them were as shrewd as they were crooked. Their secretary for foreign affairs was Talleyrand, formerly the Bishop of Autun, perhaps at the time the keenest and most unscrupulous statesman in Europe. When the Americans arrived, Talleyrand refused to receive them officially; he did, however, allow informal negotiations to proceed. Unwilling to deal directly with the commission, he worked through certain agents, who have come down to fame as Messieurs X, Y, and Z.

The X Y Z
Affair

The first of these negotiators told the Americans that the Directory had been offended by Adams's speech to Congress, and that "they should be softened." This softening process, he explained, would cost the United States \$250,000. Then the Americans must provide a new loan to France, a "large" loan. Furthermore the United States must agree to pay its citizens for any depredations committed by Frenchmen upon American commerce. Soon another French agent came around, with substantially the same proposal: "I will not disguise from you that this situation being met, the essential part of the treaty remains to be adjusted. . . . *You must pay money—you must pay* a great deal of money." Marshall and Pinckney wished to break off these interviews, but at Gerry's insistence they allowed them to continue. Failing in their efforts to extract money from the Americans, Talleyrand's agents tried to frighten them into compliance. If they counted on uniting the Americans in resistance to the French demands by revealing Talleyrand's demands for a bribe as a prerequisite to negotiation they would fail: "You are mistaken: you ought to know that the diplomatic skill of France and the means she possesses in your country are sufficient to enable her, with the French party in America, to throw the blame" for breaking off negotiations upon the Federalists; "and you may assure yourselves that this will be done."

After more fruitless exchanges, in March, 1798, the three envoys at last met Talleyrand, but he was no more willing to confer than his agents had been. Marshall thereupon left France for home. Pinckney could not leave because his daughter was too ill to travel. But Gerry remained in Paris to deal with Talleyrand alone.

In March, 1798, Adams submitted a summary of the negotiations to Congress, and the Federalists promptly demanded war with France. The Democrats, however, questioned the truth of the President's summary. This was the very thing that Adams wanted, because it called public attention to the whole proceeding. He then submitted his evidence, the story of the attempted bribery became public property, and there arose a tremendous outcry against France.

Undeclared
War

Congress immediately prepared for war. The army was increased, Washington, Hamilton, and Knox were appointed generals, and a navy department was organized. There was no official declaration of war, but each side began to seize merchant vessels belonging to the other. This state of warfare continued during 1798 and 1799. But neither Talleyrand nor Adams wanted war, and Adams determined as a last resort to try the effect of a new commission. The President then named a second commission of three: William Vans Murray, Oliver Ellsworth, Chief Justice of the Supreme Court, and William R. Davie, onetime governor of North Carolina. They went at once to France. By that time Napoleon was in power, and Talleyrand had a new scheme in his mind, the recovery of Louisiana and the restoration of the French empire overseas. For the success of this policy he needed peace with the United States. With this different state of mind the second commission found it possible to get results, and on September 30, 1800, a convention was signed. This agreement officially abrogated the Treaties of 1778, and proclaimed the principle that free ships make free goods. It did not, however, provide for any French indemnities for American shipping illegally seized. For the future American claimants on this score would have to look to their own government for payment of damages. But in spite of its defects, the convention removed the danger of war, and gave the United States a chance to gain further strength before it entered the European struggle.

Convention
of 1800

The imminent danger of war with France gave the Federalists both an excuse and an opportunity for attacking the Democratic press. Ever since Jefferson had led Philip Freneau into journalistic fame, the Federalists had writhed and cursed under the none-too-delicate thrusts of his pen. It was bad enough at any time, they thought, for this impudent Frenchman to insult the best characters in the country. But in 1798, when everyone expected war with France, his villainous sheet could no longer be borne. His was not the only Jeffersonian newspaper edited by aliens or new-fledged citizens, and the prospect of war furnished a good excuse to put them all out of business. For this purpose, in 1798 the Federalist majority in Congress put through the Alien and Sedition Acts. By a new naturalization law they lengthened the residence requirement for citizenship from five years to fourteen. The Alien Law gave the President authority to banish aliens at his discretion. The Sedition Law declared any libel of the President or any attempt to stir up disaffection against the government a crime under federal law, punishable by heavy penalties. With the Alien Law, therefore,

Alien and
Sedition Acts

they could attack the editors directly and use the Sedition Law against the newspapers. A Democratic journalist would have to be clever indeed to avoid both traps.

The Alien Law was never invoked, but several foreigners left the country for fear of what might happen. Under the Sedition Law the Federalists made, all told, twenty-five arrests, including in their haul the editors of the four most prominent Jeffersonian papers in the country. These were the *Independent Chronicle*, of Boston; the *Argus*, of New York; the *Aurora*, of Philadelphia; and the *Examiner*, of Richmond.

The Sedition Act was ostensibly designed to facilitate prosecutions for libel, some of which were already proceeding under the common law. Actually it was used to suppress any criticism of the President, no matter how trivial. Prominent Federalist officials combed the opposition papers for evidence, generally without finding statements dangerous enough to do more than provoke a slight smile. Some of the suits were based on such flimsy charges that the Federalists damaged their own cause. One of their victims, Matthew Lyon, had asserted that under President Adams "every consideration of the public welfare was swallowed up in a continual grasp for power, in an unbounded thirst for ridiculous pomp, foolish adulation, and selfish avarice." Lyon was convicted under the Sedition Act, fined \$1,000, and sentenced to four months in prison. Another absurd case was that of one Baldwin, of Newark, New Jersey. He was fined \$100 for expressing a wish that the wadding of a cannon fired in honor of President Adams might hit the estimable gentleman in the broadest part of his trousers. Perhaps the most extreme case was that of an insignificant David Brown of Dedham, Massachusetts. Brown, it appears, had been responsible for erecting a liberty pole with the following inscription upon it: "No Stamp Act, No Sedition, No Alien Bills, No Land Tax; downfall to the Tyrants of America, peace and retirement to the President, long live the Vice-President, and the Minority; may moral virtue be the basis of civil government." For this ebullition Brown was sentenced to eighteen months in prison and to a fine of four hundred dollars. Because he could not pay his fine he stayed in prison two years, until Jefferson pardoned him. These laws and the tactics of Federalist prosecutors under them show how federal power had grown in the short interval of ten years. Freedom might well become a mockery if the majestic power of the national government had to be invoked to suppress a few bits of American political humor.

The Federalists defended their laws on the ground that drastic measures were necessary to save the government; they found authority for them in the principle of broad construction of the Constitution. The Jeffersonian Democratic-Republicans, on the contrary, saw in them a denial of the fundamental principles of free government and declared them unconstitutional. To give additional weight to their protests and to make them official, the Jeffersonian leaders planned to have them endorsed by some of the state

legislatures. For this purpose resolutions known as the Kentucky and the Virginia resolutions were drafted.

The first Kentucky resolution, adopted in November, 1798, declared that the states were not united on the principle of "unlimited submission to their general government." Congress, they continued, could exercise powers specially delegated to it, and no others. "Whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force." They put the Alien and Sedition Acts in this category and announced that Kentucky would not submit to them. In a second Kentucky resolution, adopted in November, 1799, the author argued that the central government could not pass judgment on the nature and extent of its own powers. The states, however, could decide whether or not Congress had violated the Constitution; in cases of such abuse of power, "nullification by those sovereignties [the states] of all unauthorized acts done under color of that instrument is the rightful remedy." Some years later, Thomas Jefferson admitted that he wrote these two documents. The Virginia resolutions, written by James Madison, followed the same line of reasoning, although Madison did not use the word "nullification." These formal statements were the Democratic protest against the Federalist effort to restrict the right of free political discussion.

Although the authorship of these two sets of resolutions was not known at the time, they attracted widespread attention, as the platform of the party out of power. In the northern states, where the Federalists were in power, the legislatures expressed disapproval of this doctrine of states' rights. In the Democratic states, the Resolutions were generally approved.

The dispute over the Alien and Sedition Acts and the resulting debate over their constitutionality started a discussion which was not settled for over sixty years. The Constitution did not draw a clear line between the fields of state and of federal authority. Furthermore, the distinction between constitutional and unconstitutional could never become entirely plain until some recognized arbiter laid down the law. In 1798 even such intelligent men as Madison and Hamilton, who had both worked in the Federal Convention, held directly opposite views on these questions.

This controversy over the Sedition Act suggested that the quality of Federalist leadership had undergone a serious deterioration. Only a few years before, the party was organizing the national government, paying off the national debt, conquering the Indians, and achieving at least a measure of diplomatic success in dealing with Great Britain and Spain. But in 1798 the leaders were gravely stirred over the wish of an inconsequential nobody that President Adams might receive a harmless bump in the seat of his pants. The gods may do even worse with men whom they would destroy than merely make them mad; they may make them silly.

John Adams was not happy in his high office. Troubles abroad, controversies at home, and factional quarrels in his own Cabinet kept his adminis-

tration in constant turmoil. The Jeffersonian Democrats found fault with everything he did, and the group of Federalists who followed Hamilton denied him his rightful place as head of his party. Adams, unwisely perhaps, had retained three members of Washington's Cabinet, who took their orders from Hamilton and so worked consistently against the President. In 1798 when the administration expected war with France, Adams wished to name three major generals for the army, with Henry Knox, the former Secretary of War, standing first in rank and Alexander Hamilton third. All of Hamilton's friends, including even Washington, objected so vigorously that Adams had to name Hamilton to the highest place. The President tolerated this interference with his work until 1800, when he reorganized his Cabinet and forced Hamilton's friends to resign. This action brought temporary relief from immediate embarrassment, but it widened still further the rift in the Federalist Party; factional fights in the party helped to prepare for their defeat in 1800.

Presidential
Campaign of
1800

Hamilton had never respected Adams; in 1788 he had proposed him for the Vice-Presidency as the most convenient method of putting him on the shelf. In 1800 Hamilton announced that he would not support Adams for a second term. Writing on May 10, after Adams and C. C. Pinckney—one of the three American commissioners to France during the X.Y.Z. affair—had been nominated by the Federalists, Hamilton asserted that "*most of the most influential men of that party [the Federalists] consider him as a very unfit and incapable character. . . . My mind is made up. I will never more be responsible for him by any direct support, even though the consequence should be the election of Jefferson. . . . If the cause is to be sacrificed to a weak and perverse man, I withdraw from the party.*"

The Democrats, on the other hand, could look forward to the approaching campaign with a reasonable degree of confidence. The only weakness which might disturb them was more likely to come to the surface after a successful election, rather than during a campaign. From the beginning the Democrats had been a party of protest, including a large number of strong individualists. Jefferson had succeeded in keeping up at least a show of cohesion, and his methods were of the sort calculated to get out the vote.

The Democrats nominated Jefferson and Aaron Burr. This figure in national politics was a grandson of the great clergyman, Jonathan Edwards, and the son of a Presbyterian president of Princeton. After serving with honor in the Revolution he devoted himself to law, politics, and feminine society, with a record none too savory in any one of these fields. Personally he was a man of unusual charm of manner, and he was blessed with a store of cheerfulness that never deserted him. But he lacked robust convictions about anything, and he was devoid of moral sense. "Great minds," he was fond of saying, "care little for small morals."

When the electoral votes were counted, they showed Jefferson and Burr with seventy-three votes apiece, with Adams running next with sixty-five.

The Democrats received most votes, but because Jefferson and Burr were tied, the Federalist House of Representatives had to make the choice. Because of their hatred of Jefferson, numbers of Federalist Congressmen were ready to put Burr in the President's chair. Others felt that Jefferson was the lesser evil, and they would try to neutralize his influence by bargaining for the election of a Federalist Vice-President. George Cabot of Massachusetts wrote: "In our untoward situation we should do as well with Jefferson for President and Mr. Pinckney for Vice President as with anything we can now expect."

Election of
Jefferson

Even Hamilton, much as he objected to Jefferson, would not tolerate any plan to substitute Burr for Jefferson: "I trust the Federalists will not finally be so mad as to vote for Burr," he wrote. "I speak with an intimate and accurate knowledge of his character. His elevation can only promote the purposes of the desperate and profligate." But the Federalist representatives were not so easily convinced, and the House had to ballot thirty-six times before Jefferson was chosen.

This election of Jefferson in 1800 is sometimes referred to as a "revolution," but there was no such general overturn as that expression would imply. Adams lost the Presidency, partly because of the weakness of the Federalist party, partly because of Burr's successful work in New York. In 1796 he received all the electoral votes of that state. Had he received only half of them in 1800, he would have won the election. As it was he got none, and the New York votes elected the Democrats. How were they secured? In 1800 the Presidential electors in New York, and in all the other States but five, were chosen by the state legislatures. In that particular year, the New York Assembly was so evenly divided that the balance of power lay in the hands of the thirteen members from New York City. Burr had so manipulated New York politics that the thirteen were all of his own party. Made Democratic by this narrow margin, the Assembly chose twelve Democratic electors and they all voted for Jefferson.

The Democrats also secured control of Congress. For the first time since the ratification of the new Constitution political power passed from the men of wealth—merchants, bankers, and manufacturers—to the middle class and the farmers. The landowners, who Jefferson felt were best able to govern, could now prove their political worth. The Federalists had little confidence in the common man and none at all in the President-elect. From their point of view the choice of Jefferson was a national calamity. In their pessimism and fear some of them looked forward mournfully to the overthrow of all their work, perhaps even to the destruction of the very government itself. But the outcome was far different from their forebodings and the Federalists themselves were partly to blame for whatever happened. By their emphasis on special privilege and on wealth they had aroused the suspicions of voters and played into the hands of the opposition.

Collapse
of the
Federalists

Jeffersonian Democracy

POLITICAL REFORMS

Federalist
Fears

FOR THE defeated Federalists the beginning of Jefferson's administration was a time of deep gloom. The former rulers of the country despised the new President as a man, suspected his methods, and hated his political principles. He was a Virginian and a Republican, and according to them an atheist and an unscrupulous politician. Hamilton wrote "that he is crafty and persevering in his objects; that he is not scrupulous about the means of success, nor very mindful of the truth; and that he is a contemptible hypocrite." A few months after the inauguration, a Federalist in Connecticut declared that the true purpose of Democratic-Republicanism was "to destroy every trace of civilization in the world, and to force mankind back into a savage state. . . . We have now reached the consummation of democratic blessedness. We have a country governed by blockheads and knaves. . . . Can the imagination paint anything more dreadful on this side of hell?" These comments, it should be remembered, were partisan. American Presidents have rarely been as bad as the opposition party professes to believe.

Even the circumstances of the inauguration added to the blackness of the scene. Jefferson was the first President to be installed in office in Washington, D. C., where the unfinished Capitol, the straggling boardinghouses, and the mile-long stretch of mud named Pennsylvania Avenue appeared unpleasantly prophetic of confusion and disorder. The eminent respectability and pleasing regularity of Philadelphia seemed far more in keeping with national dignity and prestige than this new, unkempt village on the Potomac. But the city of Washington had great possibilities, as we know, even if the Federalists could not see them.

Jefferson
the Man

Jefferson's personal appearance certainly did not justify these Federalist fears. Even his height—six feet, three inches—was balanced by his loose-jointed build and his slouching manner. It would have required no little imagination to see any trace of cruelty or indifference to the well-being of mankind in his sunny, red, freckled face. The ordinary observer saw in him, not a monster, but simply a large, rawboned farmer, careless in manner, careless in dress but withal very human and genial. Perhaps geniality was the trait that most impressed itself on casual acquaintances. He could talk with enthusiasm and intelligence on nearly every subject known to man.

His dinners were celebrated for their conversation—and their wine—"the best I ever drank," wrote one admirer. The circle of followers who had seen him day in and day out at his boardinghouse in Philadelphia had never found him dangerous. They thoroughly liked him.

It is simpler to describe the new President's appearance and demeanor than to analyze his character. He has been accused of inconsistencies without number, but inconsistency is hardly the word. His difficulty was that he was both a doctrinaire and a practical politician. Evidence of this divergence between Jefferson the philosopher and Jefferson the statesman appears all through his life. He could help to incite the Virginians to revolution, and he could write the Declaration of Independence, but with all of his youth and physical vigor he would not enlist in the Revolutionary army. Again the divergence appears in his strictures upon the Quebec Act, and his own law for the government of Louisiana; in his talk about the benefits of frequent revolutions, and in his readiness to use the army and navy in enforcing the embargo; in his protestations of friendliness for France and in his subsequent proposal for a military alliance with England. This evidence of continued dichotomy in his thinking troubled Jefferson himself only on the rarest of occasions. He was disturbed for a brief interval over his own inability to reconcile the Louisiana Purchase with his previously avowed doctrine of strict construction, but he soon found justification in terms of the national welfare.

Jefferson's
Theories

As the author of the Declaration of Independence Jefferson was one of the best-known Americans of his day. During the Revolution he strengthened his reputation as a liberal reformer by bringing about the abolition of the system of entail in Virginia, and by establishing the principle of religious liberty in the same state. Later, as American minister to France, he gave the French revolutionists the benefit of his philosophy and his experience. He was an advocate of freedom and an opponent of arbitrary rule. On the receipt of news of Shays's Rebellion, he proclaimed his belief in the rights of the people in these flaming words: "God forbid! we should ever be 20 years without such a rebellion. . . . What country can preserve its liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance? . . . What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants." And in another letter on the same subject he had written: "The Spirit of resistance to government is so valuable on certain occasions that I wish it to be always kept alive. It will often be exercised when wrong, but better so than not to be exercised at all. I like a little rebellion now and then. It is like a storm in the atmosphere."

In politics Jefferson was a Republican. He would have defined the term as one who favored the landed interests as opposed to the financiers and industrialists; one who derived his support from the farmers instead of the businessmen. He loved to write about the virtues of the tillers of the soil.

Praise of the
Farmers

Upon them, and upon them alone, he argued, depended the security and permanence of the American system of government: "Those who labor in the earth are the chosen people of God, if ever He had a chosen people whose breasts He has made his peculiar deposit for substantial and genuine virtue. It is the focus in which He keeps alive that sacred fire, which otherwise might escape from the face of the earth. Corruption of morals in the mass of cultivators is a phenomenon of which no age nor nation has furnished an example. It is the mark set on those, who, not looking up to heaven, but to their own soil and industry as does the husbandman, for their subsistence, depend for it on casualties and caprice of customers." And again, "Cultivators of the earth are the most valuable citizens. They are the most vigorous, the most independent, the most virtuous, and they are tied to their country, and wedded to its liberty and interests, by the most lasting bonds. As long, therefore, as they can find employment in this line, I would not convert them into mariners, artisans, or anything else."

Opposition to
Industry

As for the industrial workers in towns, Jefferson considered them a positive danger to the republic: "While we have land to labor, then, let us never wish to see our citizens occupied at a work-bench or twirling a distaff. Carpenters, masons, smiths are wanting in husbandry; but, for the general operations of manufacture, let our workshops remain in Europe. It is better to carry provisions and materials, and with them their manners and principles. The loss by the transportation of commodities across the Atlantic will be made up in happiness and permanence of government. The mobs of great cities add just so much to the support of pure government, as sores do to the strength of the human body. It is the manners and spirit of a people which preserve a republic in vigor. A degeneracy in these is a canker which soon eats to the heart of its laws and constitution."

He had little respect for industrial workers: "I consider the class of artificers (artisans) as the panders of vice, and the instruments by which the liberties of a country are generally overturned." In a letter to James Madison, December 20, 1787, he argued that a democratic government would last "as long as we remain virtuous; and I think we shall be so, as long as agriculture is our principal object, which will be the case, while there remain vacant lands in any part of America. When we get piled upon one another in large cities, as in Europe, we shall become corrupt as in Europe, and go to eating one another as they do there." Jefferson seems to have been a shrewd prophet as well as an able political leader.

Jefferson's
Inaugural

In his inaugural address the new President showed not only excellent temper but the same capacity for putting the thoughts of the common man into enduring words which characterized the Declaration of Independence. For those Federalists who were expecting a discharge of fire and brimstone against themselves and an anarchistic attack upon government, the address was a surprise and probably a disappointment. Everybody else found it delightful. Throughout, Jefferson tried to allay violent feeling and to pro-

mote good relations between the parties. "We are all Republicans, we are all Federalists," he declared. Then he went on with the phrases which have become a part of our political vocabulary. He advocated "a wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement." He put in a plea for "equal and exact justice to all men"; for "peace, commerce, and honest friendship with all nations, entangling alliances with none." He would support "the state governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against anti-republican tendencies." And then he appealed for "absolute acquiescence in the decisions of the majority." To justify this acquiescence, the will of the majority "to be rightful must be reasonable"; he warned his hearers that "the minority possesses their equal rights, which equal law must protect. . . ."

Although Jefferson's political system has frequently been described as a democracy, there was no room in it for a principle regarded as essential in democracy today: universal manhood suffrage. To the very end he believed that the right to vote should be restricted to owners of property, preferably landed property. Jefferson was also suspicious of legislatures and he warned that even elected representatives might become despotic. The only safeguard lay in restricting their power.

Jefferson looked upon his party's victory in the late election as a mandate from the people to carry through certain reforms. He would not use the national government to promote the financial well-being of a particular class, as his political opponents had done. To undo some of the harm wrought by the Federalists, he pledged his administration to strict economy and to wise and justifiable expenditure of public money. He would simplify the government, restrict the activities of what he regarded as dangerous institutions like the army, navy, and the federal courts, and in general make the federal government really beneficial to the people.

To assist him in his work of purifying the nation, Jefferson picked his advisers and aides with much care. His long-time friend, confidant, and protégé, James Madison, became Secretary of State. The treasury went to Albert Gallatin, a naturalized Swiss, perhaps the equal of Hamilton in his understanding of public finance, but more cautious in temperament and less spectacular in method. These three constituted the Democratic triumvirate and they dominated the administration.

But they were only a part of Jefferson's organization. The new executive had acquired ample experience with legislatures, both in his home state, and as presiding officer of the Senate. He had drawn up a satisfactory manual of procedure, revealing a clear understanding of the intricacies of parliamentary law. But his observation had convinced him that any legislature, left to itself and to its rules, would talk endlessly and accomplish nothing. Jefferson was also aware that the very character of his party necessi-

tated a vigorous exercise of authority on his part. Many Democrats were intense individualists, impatient of any power above themselves. They had moreover been trained in the art of opposing the preceding executives, and it required both tact and skill to persuade them to work with the President.

In the days before 1801, Jefferson had severely criticized the Federalist Presidents for driving Congress, and he had found fault with them for their failure to observe the proper dividing line between executive and legislature. Once in office he was obliged to discard his theories, and resort to the only system which would bring results. To make Congress function properly, he picked the floor leaders himself. For a time this honor was divided between John Randolph of Roanoke and another Virginian, William Branch Giles, a turgid thinker and a profuse, tiresome speaker. But he could secure votes. When the President drafted bills, his floor leaders saw that they went through. When these legislative lieutenants failed him, as John Randolph did eventually, Jefferson made moving appeals to some of his friends to run for Congress, so that they might act as his agents in the House. Through the medium of the caucus Jefferson was able to meet his party associates informally outside of Congress. At these gatherings the party program was worked out and sufficient pressure exerted upon recalcitrant members to insure the proper majority.

Civil
Service

In this matter of organization, Jefferson found it desirable to fill some of the civil service positions with loyal Republicans. When he became President, he found all the appointive offices in the hands of Federalists, men who hated and distrusted him, and who would be only too glad to embarrass his administration. There was in addition the normal desire to reward good party workers. Actually he made comparatively few removals, but these were loudly criticized by the Federalists. He began by turning out of office the most recent Federalist beneficiaries, the political "lame ducks" or "midnight appointees" of the last days of the Adams regime. The next group to go were those who had been appointed after the November elections of 1800. But the removal of these did not create vacancies fast enough. Concerning these office-holders, Jefferson ruefully complained that "few die and none resign," so he hastened the process of their retirement. But there was no clean sweep in the federal civil service, and numbers of Federalists were not disturbed in their jobs.

Gallatin and
Economy

Gallatin based his financial policy on the general principle of paying off the national debt as rapidly as possible. At the same time he would reduce taxes and so save the people from unnecessary burdens. Although Hamilton's unpopular excise tax was the first to go, Gallatin personally would have preferred to keep it; his associates felt otherwise. These plans in turn demanded economy which Gallatin effected by cutting in half the expenditures for the army and navy. In his estimates for the coming year Gallatin allowed \$930,000 for the army and \$670,000 for the navy. The federal army was reduced to a mere three thousand men. As for the navy, which the

Jeffersonians considered a monument to Federalist extravagance and folly, he planned to lay up all the frigates in the eastern branch of the Potomac. There, as he bluntly put it, they would be "under the immediate eye of the department and would require but one set of plunderers to look after them."

Of course coast defense was necessary, and to provide for it Jefferson urged the construction of a fleet of little gunboats, long narrow craft, built for speed, carrying a small crew and an armament of a single gun. Congress obligingly appropriated \$50,000 to build fifteen of these vessels. By 1804 Numbers One and Two were finished. Number One was sent south to Savannah harbor. While it was there, a terrific coastal hurricane blew down church spires, carried off the roofs of houses, and raised a tidal wave of unheard-of destructiveness. When the storm was over, Gunboat Number One was discovered in a cornfield eight miles inland. Jefferson's "Mosquito Fleet" became the stock joke of the Federalists. At a dinner to Rufus King, given in Boston, one toast ran: "Gunboat Number One: If our gunboats are of no use upon the water, may they at least be the best upon earth." And another: "Our farmers on the Sea-Coast: May their cornfields be defended against Gunboat Number Three."

Another part of the Jeffersonian program was the attack upon the federal judiciary. In February, 1801, only a few days before the end of Adams's term, Congress had passed a law to create additional district courts and six circuit courts of appeal, and to authorize the appointment of more judges. A little over a year later, Jefferson's Congress repealed the law, thus taking away places from judges whom President Adams had appointed. Congress also decreed that the Supreme Court should not meet again until February, 1803.

Attack on the
Judiciary

Next, in 1803, Congress began impeachment proceedings against Associate Justice Chase of the Supreme Court. This extreme Federalist had offended the Republicans, partly through his excessive zeal in prosecuting offenders under the Sedition Act and partly through his offensive comments on Jefferson's political colleagues. The Republicans, he declared, were aiming "to take away all security for property and personal liberty." If they should succeed, he continued, "our republican constitution will sink into a mobocracy, the worst of all possible governments." Although Chase was put on trial before the Senate, his opponents could submit no proof that he had been guilty of "high crimes and misdemeanors." His worst offense was poor taste, for which the Constitution provides no punishment. In 1805 the Senate voted on the impeachment charge, but failed to convict. In the meantime the Jeffersonians received a jolt from John Marshall. In the first session of the Supreme Court after its enforced vacation, the Chief Justice handed down his famous decision in the case of *Marbury versus Madison*. Here he developed the doctrine that the Court could declare an act of Congress unconstitutional. This decision was a warning to the Democratic

party and its leaders; the Constitution imposed limits beyond which Jefferson and his Congress could not go, and the Supreme Court was there to uphold these restrictions.

The problem of the new justices for the district courts was a complicated one. There was enough judicial business to warrant the expansion of the system, but Jefferson did not want the places manned by Federalists. After legislating the offices out from under Adams's appointees, Congress passed another measure restoring most of the positions it had just destroyed. Jefferson then filled them with good Democratic-Republicans. Evidently the federal courts might be tolerated if they were operated by the right men.

FOREIGN POLICY

War with
Tripoli

In spite of his desire for peace Jefferson was unable entirely to avoid war, and the contest forced upon him was, by a strange irony, a naval war. Those disreputable dependencies of the Turkish empire, the Barbary states of Tunis, Tripoli, Algiers, and Morocco, had for generations secured their revenue by levying tribute on Mediterranean commerce. The leading maritime powers regularly bought exemption from their plundering, sometimes to the extent of \$300,000 a year. Before the Revolution the Americans had been covered by the payments made by Great Britain, but after 1783 they had been compelled to put up with the arbitrary dealings of these international nuisances. There had been constant trouble before 1801. The Barbary rulers were always demanding presents, seizing American ships, and holding the crews for ransom. In 1795, for example, the United States had been compelled to pay nearly \$800,000 to the Algerines.

In Jefferson's administration the Bashaw of Tripoli, dissatisfied with his paltry \$83,000 a year from the United States, declared war. Jefferson had to send a fleet to the Mediterranean, and the contest lasted until 1805. Even after that there was trouble for the next ten years, although the pirates were beginning to show a wholesome respect for force.

French Plans
for Louisiana

The greatest of all the accomplishments of the Jeffersonian administration, the purchase of Louisiana, had been unforeseen during the campaign of 1800, and had formed no part of the regular program. This territory, including approximately one-third of the present United States, stretching from the Gulf of Mexico to Canada and from the Mississippi to the Rocky Mountains, had been turned over to Spain in 1763. After Talleyrand took charge of the French foreign office, he began to scheme for the return of Louisiana to its former possessor. In this policy, he eventually received the active support of the new dictator of France, Napoleon Bonaparte. The Spanish government was not opposed to giving back Louisiana, provided the price were right. In the colony itself the French inhabitants favored the retrocession and there was little Spanish sentiment on the other side. Prior to 1795 the colony had not prospered; then the privileges granted to Ameri-

cans in the Mississippi valley, with the right of deposit, marked the beginning of a commercial revival.

In 1795, the year that Spain and the United States signed the Treaty of San Lorenzo, France secured Santo Domingo, the Spanish colony on the island with Haiti. Talleyrand felt that Spain had made a blunder in her agreement with the United States, particularly in giving this country everything north of the thirty-first parallel: "There are no other means of putting an end to the ambition of the Americans," wrote Talleyrand, "than that of shutting them up within the limits which nature seems to have traced for them; but Spain is not in a condition to do this great work alone. She cannot, therefore hasten too quickly to engage the aid of a preponderating Power, yielding to it a small part of her immense domains in order to preserve the rest." If Spain would only cede Florida and Louisiana to France, he continued, "from that moment the power of America is bounded by the limit which it may suit the interests and the tranquillity of France and Spain to assign her. The French Republic, mistress of these two provinces, will be a wall of brass forever impenetrable to the combined efforts of England and America."

Talleyrand could see numerous other advantages in the ownership of Louisiana. With its unbounded agricultural resources it could furnish France with the food, and so release her from dependence upon neutrals of uncertain friendliness. Guarded from the British navy by the French stronghold in Haiti, the new French province might serve as a base of operations against the English both in the West Indies and in Canada.

It will be recalled that the Convention of 1800 ended the undeclared naval war between France and the United States. On October 1 of this same year the French representative at Madrid signed the secret Treaty of San Ildefonso, which provided for the retrocession of Louisiana to France, with the boundaries which it had in the hands of Spain. In return for this princely country, Talleyrand and Napoleon promised to give the Italian province of Tuscany to the Duke of Parma, a satellite of the Spanish king, a promise by the way which they never carried out. On March 21, 1801, France and Spain signed the definitive treaty for the retrocession, thereby completing the bargain. At this time, however, Spain did not deliver the province to France.

Treaty of
San Ildefonso

The secret was kept so well that for some weeks Jefferson had no more than the vaguest rumor of it. By May, 1801, he had learned enough to describe the transfer as "an inauspicious circumstance to us." In November, Robert R. Livingston, the new American minister to France, questioned the French foreign office about Louisiana. It had been "a subject of conversation," the foreign secretary admitted after the manner of diplomats of his day, but he assured Livingston that nothing had been concluded. It happened that Jefferson received Livingston's report of this conversation, deny-

ing the existence of any agreement on the subject, and a copy of the Treaty of San Ildefonso, which came from London, on the very same day.

Jefferson's
Interest in
Louisiana

Although Jefferson showed concern over this transfer of title to Louisiana, he did not become seriously excited on the subject until the spring of 1802; then he outlined his fears to Livingston: "The cession of Louisiana and the Floridas by Spain to France works most sorely on the United States. . . . It completely reverses all the political relations of the United States, and will form a new epoch in our political career. . . ." France had been the friend of America, but now all this was changed. "There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of $\frac{3}{8}$ of our territory must pass to market. . . . The day that France takes possession of New Orleans fixes the sentence which is to retain her forever within her low-water mark. From that moment we must marry ourselves to the British fleet and nation. We must turn all our attention to a maritime force." Then the renewal of the war in Europe would be the signal for an American attack upon Louisiana.

This letter, written April 18, 1802, was intended as a step toward a solution of the difficulty by diplomacy. For several months Jefferson did nothing more. Then, in December, 1802, he heard that the Spanish authorities in New Orleans had withdrawn the right of deposit. By this time Americans in the West were insistently demanding war; and Jefferson decided to send Monroe to France, as a special agent, to buy New Orleans and a part of West Florida. Congress appropriated \$2,000,000 to defray expenses, and early in 1803, Monroe started on his mission. He was instructed to offer as high as \$10,000,000 for New Orleans and the two Floridas. If France should refuse to sell, he was to negotiate for a renewal of the right of deposit. Failing in that, Jefferson hinted that he would probably be sent to England, to negotiate a treaty of alliance. Monroe went off with Jefferson's assurance that on the success of the mission "depend the future destinies of this Republic."

Napoleon
Abandons
Louisiana

During this interval while the pressure of circumstances was forcing Jefferson into an aggressive foreign policy, Napoleon had turned his attention to Haiti, the keystone of his proposed colonial arch. Unfortunately for him, the black population on the island, under the leadership of Toussaint l'Ouverture, had rebelled and set up a republic. For a time Napoleon's forces had been able to hold the Negroes in check; but early in 1803, as the ruler of Europe was about to take formal possession of Louisiana, he received news that wrecked his plans. Two French armies in Haiti had been wiped out, partly by war, partly by yellow fever, and the commander there was frantically calling for thirty-five thousand more men. Napoleon could face any human army on earth on less than even terms and defeat it, but the uncertain horrors of yellow fever and typhoid were more than he could manage. Moreover in March, 1803, he had made up his mind that the European war, temporarily stopped in 1801, must be renewed; if it were,

colonies might become a liability. Unable therefore to risk further loss in Haiti, and determined not to give England a chance to seize Louisiana, he suddenly decided to sell the whole province to the United States.

On April 10, 1803, just before Monroe's arrival, Napoleon called in his finance minister, Marbois, for an interview. "Irresolution and deliberation are no longer in season," he announced to his astonished subordinate; "I renounce Louisiana. It is not only New Orleans that I cede; it is the whole colony, without reserve . . . I direct you to negotiate the affair. Have an interview this very day with Mr. Livingston." Marbois informed Talleyrand of the new plan. Shortly thereafter Talleyrand came to Livingston with an offer to sell the whole of Louisiana. The American minister had received no previous hint of Napoleon's extraordinary decision and his first reply was that his government would not be interested. Later he returned to Talleyrand and asked for terms; negotiations started at once. On Monroe's arrival the two men signed the treaty which transferred Louisiana to the United States. For the sum of \$15,000,000 the United States got the territory with the same limits it had when ceded by Spain to France. Livingston and Monroe tried to get from Marbois a formal statement regarding the boundaries, and the French minister carried their request to Napoleon. That gentleman had no intention of clearing up the uncertainty. "If an obscurity did not already exist," he sagely observed, "it would perhaps be good policy to put one there." Talleyrand was as non-committal as Napoleon on the subject, and the Americans were left free to take what they could get. Their work was a diplomatic triumph of tremendous importance. No other American negotiators ever secured so much territory for so little money. On October 21, 1803, the treaty was proclaimed in effect, while Spain was still in possession. On November 30, control passed to the hands of France, and on December 20, France turned the region over to the United States, with the boundaries still undefined.

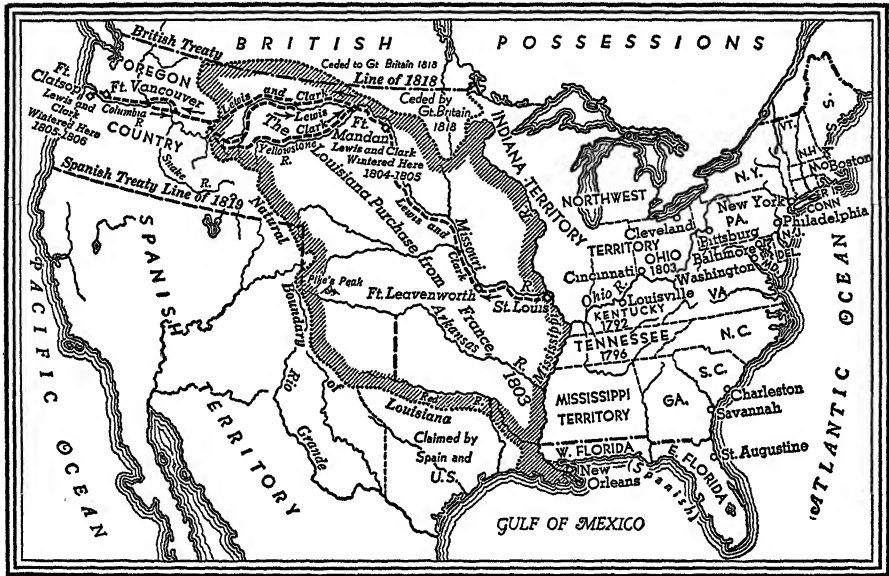
Louisiana
Purchase

Although the astute trio of Marbois, Talleyrand, and Napoleon refused to inform Jefferson and Madison of their decision on the subject, these three Frenchmen had already agreed upon the bounds of Louisiana. According to specific instructions which they framed for the guidance of French officials in Louisiana, the province was bounded on the west by the Rio Grande, up to the thirtieth parallel, so the French included Texas in Louisiana. On the east the boundary followed the Mississippi to the Iberville, north of New Orleans, and then to Lakes Maurepas and Pontchartrain to the Gulf. Therefore France did not include West Florida in Louisiana.

When the news of the purchase first reached Jefferson, the strict-constructionist President was both disturbed and embarrassed. He thought at first that he and the Senate would have to "appeal to the nation for an additional article to the Constitution, approving and confirming an act which the nation had not previously authorized. The Constitution has made no provision for our holding foreign territory, still less for incorporating foreign

Constitutional
Problems

nations into our Union. The executive . . . have done an act beyond the Constitution. The Legislative in casting behind them metaphysical subtleties, and risking themselves like faithful servants, must ratify and pay for it, and throw themselves on their country for doing for them unauthorized, what we know they would have done for themselves had they been in a situation to do it." Then came reports of possible Federalist opposition, so Jefferson dropped his plan for getting an *ex post facto* amendment. He did not care to have his political foes cite his own constitutional theories as an



MAP 15. THE LOUISIANA PURCHASE IN 1803.

argument against completing the purchase. With this step Jefferson virtually discarded strict construction.

The possession of new territory raised the problem of government, and this Jefferson and Madison were prepared to solve. Together they drafted a bill for the purpose, which Congress passed in 1804. This measure provided for a governor, secretary, judges, and a legislative council of thirteen members, all to be appointed by the President. There was to be no elective assembly. French civil law was to remain in force. It will be recalled that with the exception of a clause guaranteeing freedom of worship to Roman Catholics, this bill was a close copy of the constitutional portions of the Quebec Act of 1774. Just how Jefferson reconciled his Louisiana Government Act with his attack upon the Quebec Act in the Declaration of Independence he never took the trouble to explain. This undemocratic measure was repealed in 1805, and the principles of the Ordinance of 1787 were substituted for it.

Evidently the purchase of Louisiana stimulated Jefferson's desires for expansion, and he turned his attention toward the Floridas. On the theory that the region around Mobile had been included in Louisiana, Congress in 1804 established a customs district there. In 1805 Jefferson was ready to use a combination of force and money to secure the whole province of West Florida, but the defection of John Randolph defeated his plan. Later, when Madison was President, West Florida was seized and occupied by American troops.

Even before the purchase, while Louisiana was still in the hands of Spain, Jefferson had become interested in the region beyond the Mississippi River. He wanted to establish friendly relations with the Indian tribes living in the Missouri valley, and he was particularly anxious to bring the fur trade of that country under American control. On January 18, 1803, he urged Congress to authorize an expedition to explore the West. After securing the consent of Congress, Jefferson chose Captain Meriwether Lewis, his private secretary, and Lieutenant William Clark, a brother of George Rogers Clark, to take charge of the work. In 1804 the Lewis and Clark expedition, with a party numbering forty-five, started up the Missouri River. They spent the winter in what is now North Dakota, near the site of the present city of Bismarck. In the spring of 1805 they crossed the mountains, and by November they had reached the mouth of the Columbia River. Captain Robert Gray of Boston had entered the mouth of this river in 1793. Lewis and Clark followed the Columbia from mountains to sea, and spent their second winter on the Pacific coast. They returned to Washington in 1806, having covered a distance of some eight thousand miles. These explorations gave the United States a valid claim to the Oregon country.

Lewis and
Clark

The Federalists in New England disapproved of most of Jefferson's measures, and they found particular fault with the purchase of Louisiana. Once this great new territory should be opened to settlement, they argued, the value of all farm lands in the East would fall. With the admission of new states from the Louisiana country, most of the inhabitants of the region would become Jeffersonians and this party would be greatly strengthened at the expense of the Federalists. Then the older sections of the country would be ruined.

To ward off this fate, which some of the Federalists actually believed would descend upon the United States, a small group of New Englanders began to talk about withdrawal, or secession, from the Union. The prime mover in the scheme was Senator Timothy Pickering of Massachusetts, who had been Secretary of State in Adams's Cabinet. His principal associates were Plumer of New Hampshire and Tracy and Griswold of Connecticut. Writing in December, 1803, Pickering prophesied the establishment of "a *new confederacy*, exempt from the corrupt and corrupting influence and oppression of the aristocratic democrats of the South. . . . A continued tyranny of the present ruling sect will precipitate that event. The patience

Federalists
Talk of
Secession

of good citizens is now nearly exhausted." Convinced that the Union must be dissolved, the plotters took steps to establish the proposed new confederacy. In 1804 the Senate ratified the Louisiana Purchase Treaty, and thus intensified Federalist opposition; 1804 was also the year of a presidential election and consequently a good time for any political action. The Federalists turned first to George Cabot of Massachusetts as the proper leader for their scheme. Cabot, however, did not favor secession. While it was entirely legal and proper, he said, it would not give New England the relief which she wanted. The fundamental difficulty as he saw it was the prevailing political doctrine of the day: too much democracy. "Even in New England," he complacently wrote, "where there is among the body of the people more wisdom and virtue than in any other part of the United States, we are full of errors which no reasoning could eradicate."

Burr-Hamilton
Duel

As it turned out, there were so many Jeffersonian Democrats in Massachusetts that the Federalist plotters had to look elsewhere for leadership, so they turned to New York. By 1804 the Vice-President, Aaron Burr, had become almost an outlaw in his own party. He was therefore ready to accept the Federalist endorsement of his candidacy for governor of New York on one condition: he would agree to the plans for secession, but his new allies must not ask him to make any more promises. Burr was defeated in the race for the governorship. One of the men responsible for his downfall was Alexander Hamilton. Partly because of old political enmity and partly because of wrath at Hamilton's opposition in this campaign, Burr challenged the former Secretary of the Treasury to a duel. Early in the morning of July 11, 1804, the two men met outside of Weehawken, New Jersey, and Burr killed his opponent.

Election of
1804

In the presidential election itself, Jefferson almost swept the country, winning 162 out of a total of 176 electoral votes. Even Massachusetts, home of the Federalist plotter, Timothy Pickering, gave her votes to Jefferson. In the election of 1804, the twelfth amendment to the Constitution was in effect. This provided that each elector should vote separately for President and Vice-President. Originally the electors had each voted for two candidates, without any official distinction between President and Vice-President. The amendment also provided that in case no candidate should receive a majority of the electoral votes, the House of Representatives, voting by states, should choose one of the three candidates standing highest in the electoral vote.

After he killed Hamilton, Burr was indicted for murder but was not convicted. Then he left New York with the intention of rebuilding his political fortunes in the West. In 1805 he appeared once more in Washington, where he asked the British minister for \$500,000; he intimated that he was planning for some sort of attack upon the Spanish power in Mexico. Later in the same year he asked the Spanish minister for \$100,000 to prevent an attack upon Mexico. His plans were hazy and indefinite at the time, and

except for his schemes of land speculation in Arkansas, they have never been cleared up; perhaps his chief purpose was to extract money from anybody stupid enough to trust him.

In 1806 Burr collected a small fleet of boats on the Ohio to carry out his plans, whatever they were, in the Southwest. In November of that year Jefferson issued a proclamation ordering his arrest on a charge of treason. He was placed on trial at Richmond, Virginia, but acquitted for lack of evidence. In spite of the President's desire to see his former associate in trouble, there was no tangible proof that Burr was planning to make war on his country or to give help to its enemies. His fifteen or twenty Mississippi flatboats would probably not have overthrown the government of the United States. After acquittal, he became more completely an outcast, traveling extensively in Europe, always cheerful, always devoid of any sense of shame, never lacking feminine society which constituted his chief interest in life. Burr's Conspiracy

Jefferson's first term was a distinct triumph for the President himself and for his party. The administration made good its promises of reform, and it gave the country the unexpected advantages derived from the Louisiana Purchase. During much of this time the President was free from the burdens imposed upon the United States by warfare in Europe. Far from injuring the interests of the United States, the transition from Federalist to Democratic control had proved to be beneficial.

Neutral Trade and Economic War

EUROPEAN WAR AND AMERICAN COMMERCE

IN 1801 the belligerent powers in Europe signed the Peace of Amiens and so ended eight years of war. This cessation of hostilities had two important consequences for the United States. For one thing, it relieved the State Department of a heavy burden; hitherto much of its work had been concerned with efforts to maintain neutral rights. With the return of peace abnormal restrictions on maritime trade disappeared, and merchants could continue their enterprises without serious interference. At the same time American merchants saw the volume of trade and profits start on a decline. In 1801 exports from the United States stood at the impressive figure of \$94,115,925; in 1803 they had dropped to \$55,800,033. This decline of American commerce was of course due to the resumption of normal trade relations, and particularly to the return of British shipping to its customary routes.

Economics
and Foreign
Policy

In 1803, two months after the signing of the Louisiana Purchase Treaty, the war in Europe was renewed and it continued without interruption until 1814. For the future, therefore, Jefferson and his associates would be troubled with the problems of neutral trade which had so disturbed his Federalist predecessors. Jefferson was just as anxious to keep his country out of war as Washington and Adams had been, and as the event proved, for the duration of his administration he was just as successful.

Neutral Trade
and Neutral
Rights

War in Europe was profitable to all seafaring neutrals, particularly to the Americans, and the renewal of hostilities was soon reflected in an increase of American exports. England needed naval stores from the Baltic and tropical products from the West Indies. British manufacturers wished to sell their woolen goods and hardware. France needed West Indian products, foodstuffs, and manufactured goods. American shippers were glad enough of the chance to carry commodities to both France and England, because prices were high and profits pleasing. The following table shows the development of this export trade through 1808.

EXPORTS FROM THE UNITED STATES

Year ending September 30	1803	1804	1805
Domestic produce	\$42,205,961	\$41,467,477	\$42,387,002
Foreign produce	13,594,072	36,231,597	53,179,019
	<u>\$55,800,033</u>	<u>\$77,699,074</u>	<u>\$95,566,021</u>
	284		

BRITISH NAVY VERSUS FRENCH ARMY 285

Year ending September 30	1806	1807	1808
Domestic produce	\$41,253,727	\$48,699,592	\$ 9,433,546
Foreign produce	60,283,236	59,643,558	12,997,414
	<u>\$101,536,963</u>	<u>\$108,343,150</u>	<u>\$22,430,960</u>

Although American trade increased, neutral rights ceased to exist, as they always do in every large-scale war. Neither from 1803 to 1812, when the nation was weak, nor from 1914 to 1917 and 1939 to 1941, when it was strong, were the merchants of the United States free to trade where and how they would. In each case their commercial course was *shaped* for them—not interrupted, it should be observed—by powers over which they had no control. Their government could protest in their behalf, but with national existence of the belligerents at stake the protests of a neutral were worth little.

Before 1805 Napoleon made extensive plans to invade England, even to the point of collecting fleets of transports in harbors opposite the British Isles. Thanks to his control of the Low Countries, he had ample harbor facilities and well-protected supply lines. But in October, 1805, the British fleet under Nelson annihilated the French navy in the Battle of Trafalgar, thus making a French attack upon England an impossibility. On the other side, Napoleon had defeated all of his continental enemies: Austria at the Battle of Austerlitz in 1805, Prussia at Jena in 1806, and Russia at Friedland in 1807. England was as powerless to crush Napoleon on land as he was to fight England at sea. Such being the case, both parties resorted to economic warfare.

There is no value in trying to determine which of the two belligerents first began the restrictions on neutral trade. Two rival systems of government were in conflict and the authorities in each case were prepared to do everything possible to win. Napoleon knew that English greatness rested upon a foundation of industry and commerce. If he could interrupt this trade he might reduce merchants, manufacturers, and workers to such extreme poverty that they would compel their government to end the war. On the other hand, even though Napoleon controlled the continent of Europe, the British knew that he must import some foodstuffs and manufactured goods. If European ports could be closed to these essential supplies, the French would be compelled to beg for peace. With her great navy, incomparably the strongest in the world, Great Britain had a distinct advantage. She could keep her own lines of trade open, and she could close enemy ports on the continent. But to make her sea power effective she would necessarily violate the rights of neutrals.

Early in the war Napoleon ordered the seizure of British goods and ships and the arrest of British subjects in German ports which he had recently acquired. The British declared a blockade of continental ports along the English Channel and the North Sea. Under previous regulations the British had permitted American merchants to carry West Indian goods to Europe,

British Navy
versus
French Army

Orders in
Council

even though the products were of enemy origin. The only restriction was that the shipper must take them into an American port and pay American duties on them. British prize courts sanctioned this procedure in 1802, in a famous decision involving the ship *Polly*. The authorities did not concern themselves with the question as to whether or not the duties were paid back when the goods left for France. In 1805, however, in the *Essex* case the courts held that such repayment of duty restored the enemy status of the goods; since it was the intent of the shipper to take the cargoes to enemy ports, the goods were liable to seizure. If they wished to continue this type of commerce, therefore, the Americans would have to land the goods and pay the duty with no hope of repayment. The decision in the *Essex* case was followed by a series of measures designed to subject American ships to the old navigation system, as though the Americans were still colonists in the British Empire. For the future, all commodities en route to the continent of Europe would have to go through a British port, so that the British could collect duties on the trade. Beginning with May, 1806, the British government issued a series of orders in council, all designed to cut off supplies from France. One declared the coast from Havre to Ostend under blockade, and prohibited to neutrals any coasting trade between Havre and the Elbe River. Another, published in January, 1807, declared the whole French coasting trade closed to neutrals. A third, of November, 1807, put the whole European coastline under blockade, from Trieste to Copenhagen. Under this last order, no neutral ship could enter any port from which British vessels were excluded, unless it had first cleared from a British port, and had paid duties there.

French
Decrees

Not to be outdone at this contest in paper blockades, Napoleon planned for the complete exclusion of English commerce from continental Europe. To this end he began to bring the ports of Europe under his control. By 1807, with his Russian treaty, he had everything in his hands, except Spain and Portugal. By way of retaliation for the orders in council, Napoleon issued a series of decrees aimed at neutral as well as British trade. In November, 1806, from Berlin, he declared the British Isles under blockade, and announced that no vessel clearing from any English port would be admitted to any French port. In December, 1807, by the Milan decree, he proclaimed that any ship submitting to search by English officers, paying any duty to the British government, or even bound for or coming from a British port, would be seized on its appearance in French waters. Thus any ship which had complied with English orders in council would be liable to confiscation if it should put into a French port. Such in brief was Napoleon's continental system.

It is a difficult matter to tell precisely how these measures affected American trade. Because France was far from economically self-sufficing, Napoleon was obliged to make numerous exceptions in favor of neutral merchants; under his licenses, therefore, much trade went on. Furthermore, he

was unable to interrupt the commerce between the United States and England. Consequently the only trade cut off was that portion between the United States and France which happened to be within reach of the British navy. The figures given above show certainly that up to the end of September, 1807, American commerce was still steadily expanding. Besides this, prices were so high that American merchants could afford to lose two out of three ships; that is, if one ship out of three escaped capture, they would still make a profit.

During the administrations of Washington and Adams both Presidents had tried to secure recognition of American rights without actually going to war. Two possible courses were open: retaliatory legislation and diplomatic negotiation. Jefferson's predecessors had tried both, and so did he. In April, 1806, Congress passed a non-importation act, providing that after the following November 1, unless in the meantime British decrees should be modified, specified British manufactured goods would be denied admission to American ports.

Negotiations
for Peace

While the British were thus given several months in which to decide whether or not they would yield to the threat of non-importation, they were also given a chance to negotiate. Jefferson instructed James Monroe and William Pinkney of Maryland to secure a new commercial treaty with England, to take the place of Jay's Treaty. These two envoys were expected to settle the troublesome issue of neutral rights and to secure indemnities for vessels illegally seized. In addition Jefferson gave them orders to win concessions regarding two other British practices: impressment of American sailors and the stopping of American ships in American waters.

During this period the British navy made itself especially obnoxious. Finding it more convenient to cut off French trade at the source than at the destination, British forces maintained a virtual blockade of American ports. They stopped and searched neutral merchantmen, which they had a legal right to do, under certain conditions. They also made a practice of impressing seamen, a procedure of doubtful validity at best, and certainly illegal at worst, and occasionally they killed an American sailor.

This question of impressment was a troublesome one. The navy was England's chief hope in the contest with Napoleon, but its efficiency was steadily undermined by wholesale desertions. Life on board a British man-of-war was nearly unbearable, with wretched quarters and miserable food. Many of the crews had been filled by the press gangs, so the seamen escaped when opportunity came. Being wise, they chose American ports as the best place to make their change; then they were always sure of employment in the American merchant marine. According to one estimate, American vessels were getting every year an average of twenty-five hundred deserters from the royal navy. Search parties took back about a thousand a year, along with some bona fide American citizens. These practices were mad-denying, to be sure, but American trade continued, and the merchants pre-

Impressment

ferred to tolerate them, rather than to take chances with retaliation or war.

Up to a certain point Monroe and Pinkney succeeded in their negotiations. At least they secured a new treaty. According to the new arrangement, Americans would be allowed to engage in the carrying trade between the new world and "unblockaded" ports in Europe provided that all commodities were first landed in an American port and the duties paid. Here was a catch that might have nullified the whole agreement, because any new order in council might declare any port in Europe under blockade. This point might have been overlooked had the two envoys carried out their instructions on the matter of impressment, but the treaty contained no mention whatever of this troublesome dispute. Jefferson was so much displeased with it that he refused even to submit it to the Senate.

Monroe explained that the British and American representatives had reached an unofficial agreement on impressment, which though not incorporated in the treaty gave the United States government the concessions it had asked for. Because of the advantages in the commercial sections of the document, in spite of the possible trick reservation mentioned, Monroe believed that his treaty was better than nothing. And he might have argued—though he seems not to have done so—that there was a precedent for accepting an unsatisfactory treaty when it brought some advantages. Jay's Treaty, for example, was far from perfect. Monroe put his case as follows: "When I took into view the prosperous and happy condition of the United States, compared with that of other nations: that, as a neutral power they were almost the exclusive carriers of the whole world; and that, in commerce, they flourished beyond example, notwithstanding the losses, which they occasionally suffered, I was strong in the opinion, that these blessings ought not to be hazarded, in such a question."

There was also one other objection to allowing the Senate to waste its time on the treaty. Just before the document was to be signed, word reached London of Napoleon's Berlin Decree. The British representatives told Monroe and Pinkney that they would not consider the treaty effective unless the United States would promise not to acquiesce in Napoleon's order. On every occasion the Americans were told that Britain had the whip hand and that she would keep it.

In 1807 a new episode threatened to bring Jefferson's peaceful policy to an end. For four years, in carrying out orders of their government, British officers had been both presumptuous and overbearing, but not actually hostile. This year they stepped over the line. In June the American frigate, *Chesapeake*, started off for a cruise in the Mediterranean. According to rumor she had on board a deserter from the British navy, one Ratford. As the American vessel put out to sea, she was followed by the British frigate, *Leopard*. Once safely outside American waters, the *Leopard* hailed the *Chesapeake*, and announced that she had despatches for the American commander, Commodore Barron. When the *Chesapeake* hove to, the British

Attack on the
"Chesapeake"

commander demanded the right to search her for deserters. This demand would have been permissible in case of a merchant vessel, but in the case of a man-of-war it was an arrogant insult. Barron properly refused to comply, whereupon the British ship immediately opened fire.

The *Chesapeake* was not ready for action. Her guns had not been fitted to their carriages, her gun deck was piled up with supplies for the voyage, and her ammunition was inaccessible on short notice. Completely at the mercy of the *Leopard*, Barron surrendered, after his crew had succeeded in firing a single shot. The British then searched the vessel, found Ratford, and carried him off. For good measure, they also took three other seamen, all American citizens, but like Ratford deserters from the British navy. News of this indefensible proceeding aroused a demand for war. Had Jefferson cared to resort to arms, he would probably have had the support of a united country.

EMBARGO AND NON-INTERCOURSE

But Jefferson would have no war. He reasoned that there were just as urgent reasons for maintaining peace after 1807 as before 1801. Federal revenue was still largely derived from English imports. No official desired to face a war, the first and most noticeable result of which would be to cut off the income essential to its successful prosecution. If the two Federalist Presidents had been justified in their efforts to preserve peace, Jefferson cannot be criticized for doing the same thing. Realizing that war would be no remedy for the difficulties of the time, and unable to get results through diplomacy, he took his cue from Revolutionary precedents in America and from the two belligerents in Europe. He began to ponder a scheme of economic warfare. Knowing how eager both France and England were to secure American foodstuffs and raw materials, he reasoned that these supplies furnished him with a weapon. Suppose American exports were entirely cut off; would not the haughty Europeans immediately sue for terms? Immediately on receipt of news of the attack on the *Chesapeake*, Jefferson ordered all British men-of-war out of American waters, an order which they ignored. Then he called Congress to meet in special session in October.

Jefferson's
Embargo

In his annual message to Congress in December, 1807, the President outlined his plans for "Peaceable Coercion." His idea was to end American export trade. The legislature responded promptly, and the Embargo became law. This measure prohibited the sailing of any American vessel from any port of the United States to any foreign port. Foreign ships could sail only in ballast. Ships engaged in the coasting trade were required to furnish bonds, double the value of the cargo, that they would land their commodities only in American ports. In this way Europe would be deprived of supplies, and France and England would be starved into respect for the maritime rights of the United States. Actually the Embargo was not even felt in France and while it did cause embarrassment in England, particularly

in its effects upon British industry, it had no appreciable influence on public policy there. The diplomats in Europe were proof against any scheme of coercion, peaceable or otherwise, which bothered them so slightly.

Failing to achieve the purpose for which it had been designed, Jefferson's Embargo destroyed the trade it was supposed to protect. A glance at the table on page 285 shows how the export trade fell off, to the extent of almost \$86,000,000 in a single year. In New England, where one-third of the ships engaged in the carrying trade were owned, there was serious hardship. In order to escape from this ruinous restriction on American trade, some ships remained away from American ports. Those in port were left to rot at the wharves, shipyards and warehouses were empty, sailors were idle, farmers lost their markets, and commodity prices were cut in half. At the same time, the national revenue diminished at least 50 per cent.

**Enforcement
and Protest**

Because the law was being violated at every opportunity, Jefferson urged Congress to enact a drastic enforcement measure. This was done in January, 1809. By this law the bond for coasting vessels was raised to six times the combined value of the vessel and the cargo, collectors were authorized to refuse clearance papers, if to their minds there appeared any intention to violate the law, and finally they could use the army and navy to compel obedience.

Under the circumstances it is not surprising that the wrath of New England should have flared up into a veritable fury. Where in the Constitution did the author of the Kentucky Resolutions find any warrant for the Embargo? To be sure, Congress had power to regulate trade, but regulation did not mean ruin. Furthermore, when had the Federalists ever perpetrated anything so flagrantly tyrannical and unconstitutional as the Enforcing Act of 1809? In the winter of 1809, apparently distressed at the destruction wrought by the Embargo and disturbed at the uproar in New England, the President retired to Monticello. Henry Adams uses the much stronger term, "abdicated," to describe this particular vacation. In any case Jefferson went home for several weeks of rest.

**Election of
1808**

If the Federalist party had not been weakened beyond repair, it would have taken advantage of Jefferson's blunder. In 1808 any strong opposition could have made political capital out of the ruin. But the country as a whole was through with the Federalist party, and nothing would induce the voters to give it another trial. Jefferson followed the custom started by Washington by refusing a third term, but he chose his successor. At least he made known to the Democratic leaders his desire to have his Secretary of State, James Madison, as the next President, and the party complied with his wish. In the election, Madison secured 122 electoral votes against 47 for the Federalist candidate, C. C. Pinckney.

In personal appearance the new executive was pretty much everything that Jefferson was not. The "little Virginian" was only five and a half feet tall, and nervous as a schoolgirl. On inauguration day he was literally half sick

with fright. While Jefferson was always a speculative philosopher, and generally a practical politician, Madison was never anything but a methodical scholar. In the Federal Convention, in Congress, and in the State Department, where extensive and exact knowledge was much needed, Madison was comfortable and unusually competent. But in the President's chair, which demands a combination of keenness in practical politics, farsightedness in public problems, and vigor in execution, Madison was deficient.

He had every reason to be dizzy and pale at his inaugural reception. The party organization which made him President was the creation of his predecessor. Even Jefferson had found it hard at times to make his following stay with him. Madison found it impossible. The machine had made him President, and even had Madison been temperamentally able to give orders, his party would not have obeyed them. As it was, the party leaders compelled him to appoint as his Secretary of State an incompetent nobody, whose policy in public service had only one aim: the embarrassment of his chief. This incubus, Robert Smith, with his brother in the Senate, wrecked the financial policies which Madison and Gallatin had counted on to save the administration.

Madison as
President

The first important project that came up for consideration, excepting of course the ever-present foreign problem, was the question of the United States Bank, the charter of which was due to expire on March 4, 1811. The Bank had been profitable to its stockholders, it had been soundly managed, and it had rendered a distinct service to the government. Madison, Gallatin, and William H. Crawford of the Senate, an able financier, all three loyal Jeffersonians, favored a recharter. But the Bank had been established by the Federalists and most of the Democrats had consistently railed against it as unconstitutional. Robert Smith in the Cabinet, William Branch Giles in the Senate, Henry Clay of Kentucky in the House, and Duane of the Philadelphia *Aurora* all worked against it. The party, therefore, which had accepted the constitutionality of the Louisiana Purchase, the Embargo, and the Enforcing Act, now reverted to strict construction and refused to continue the Bank.

Jefferson's foreign policy, which among other troubles Madison had inherited, had resulted in no change in English or French policies, but it did create bitter resentment at home. It fell to the new executive to do something, anything, to make the situation less bad. Just before the end of Jefferson's term, Congress repealed the Embargo, substituting for it a non-intercourse arrangement. This allowed trade with all the world except the makers of the two sets of restrictive decrees. Early in Madison's administration it seemed that he had a chance to restore commerce with England. George Canning, Secretary of State for Foreign Affairs, sent over a young minister named Erskine. Erskine and Madison agreed on the form of a treaty, covering reparation for the *Chesapeake* affair, the recall of the orders in council, and paving the way for a comprehensive commercial treaty. The

Erskine's
Agreement

Englishman had, however, been instructed not to grant these concessions without an agreement on the part of the United States to relinquish trade with the West Indies, and to permit England to enforce American non-intercourse with France. Because this condition had not been fulfilled, Canning recalled Erskine, and repudiated his treaty. The situation therefore remained unchanged.

The
Diplomacy of
Desperation

On May 1, 1810, the original non-intercourse policy was abandoned. In its place a measure known as "Macon Bill No. 2" allowed trade with all the world. The new law provided that in case either Great Britain or France revoked her obnoxious decrees, and the other power should fail to do so, then the President should restore non-intercourse with the offending nation. Napoleon had enjoyed the Embargo and non-intercourse schemes, because they enabled him to seize American vessels in his ports. By so doing he could assist a friendly power in enforcing its own laws. But the Macon Bill was a different matter. Anxious to prevent the reopening of Anglo-American trade, he announced in October, 1810, in the "Cadore Letter," that his decrees were revoked, with the understanding that the United States should compel England to revoke hers.

Eager to find a way out of a bad situation, and ignoring the patent absurdities in Napoleon's proposal, Madison accepted it as though it were a genuine repeal of the French decrees. The British government insisted that the "Cadore Letter" was a mere blind, and refused to repeal the orders in council; non-intercourse with England was therefore revived.

During 1810 the much-harassed American export trade had begun to revive, reaching on September 30 the total of \$66,757,970. With the revival of non-intercourse it declined again, and when the War of 1812 was well under way, it dropped to under \$7,000,000. Before the war started, the British government disavowed the act of the captain of the *Leopard*, and made reparation for the *Chesapeake* affair, but attempts to settle the other troubles resulted in failure.

In her efforts to secure adequate recognition of her rights at sea, the United States had tried most methods short of war. But the country was not of one mind on the subject of war. In New England particularly, where commercial interests were important, the merchants did not want to fight either France or England. If Congress and the President would only let them alone, they would take chances with the European decrees and make money. Many of the older and more conservative statesmen in other parts of the country agreed with New England. War, they argued, would not only fail to improve conditions, but it would ruin what little commerce there was left. Worse still, it would cut off federal revenues and plunge the country into heavy debts. With nothing to gain and everything to lose, war seemed to them the most stupid of all policies.

If commercial factors alone had been responsible for shaping the policy of the American government, there probably would have been no war.

During the winter of 1811-1812 England for the first time was seriously affected by the loss of trade with the United States. She had lost practically all of her market in continental Europe and the revival of non-intercourse left her manufacturers and merchants with quantities of unsold goods on their hands. Factories had to close for lack of orders and workmen were thrown out of employment. In some respects the situation suggested that of Stamp Act days, except that it was more serious. Businessmen joined in begging the administration to change its policy toward America. As a result of this alarming economic collapse the English Cabinet announced, June 16, 1812, that the orders in council were revoked. The Jefferson-Madison policy of peaceable coercion had at last brought results.

Orders in
Council
Repealed

Unfortunately for the cause of peace there were other developments which had a profound influence on the Congress of the United States and on the administration of James Madison. In the elections of 1810 some of the older leaders lost their places in Congress and their seats were taken by young, energetic, hot-blooded newcomers. These aggressive Americans had no sympathy with a policy of peace, particularly those from the West and South. Most conspicuous among them were Henry Clay of Kentucky, thirty-five years of age, and John C. Calhoun of South Carolina, then only thirty. These two and their colleagues were known to their contemporaries as war hawks. Professor Stephenson of a later generation described them as "flapper statesmen."

The new Congress met for its first session in November, 1811, when the leading Democratic newspapers were insistently clamoring for war. Clay, chosen Speaker of the House, placed on his committees men known to favor war. On November 29, 1811, the House Committee on Foreign Affairs, reporting on President Madison's message, made the following significant statement: "The period has arrived when in the opinion of your committee it is the sacred duty of Congress to call forth the patriotism and resources of the country. By the aid of these, and with the blessing of God, we confidently trust that we shall be able to procure that redress which has been sought for by justice, by remonstrance, and forbearance in vain."

War Hawks
in Congress

Clay had been urging war for two years. To punish England and at the same time to add to the grandeur of the United States, all the war hawks united in a demand for the conquest of Canada. "I trust I shall not be presumptuous," said Clay, "when I state that I verily believe that the militia of Kentucky alone are competent to place Montreal and Upper Canada at your feet." Calhoun prophesied that within four weeks from the declaration of war the United States would be in possession of most of Canada. And Harper, representative from New Hampshire, in a truly lyric outburst, told the House that "the Author of Nature has marked our limits in the South by the Gulf of Mexico, and on the North by the regions of eternal frost." The war hawks were interested in the West, in territorial expansion, and in the Indians. They were also interested in the problems of overseas trade,

because the prosperity of the West depended upon the export of foodstuffs. These factors all had an influence in bringing on war.

Northwestern
Indians

The Indian problem was peculiar. Although the Treaty of Greenville of 1795 was still in effect, the Indians had been subjected to unceasing and unscrupulous pressure by aggressive white pioneers. By 1809 by one scheme or another the Indians had been compelled to abandon their rights to some forty-eight million acres in the Northwest. In this year two Shawnee brothers, Tecumseh and the Prophet, made an effort to protect the Indians from further losses. They not only organized a new Indian confederacy but they opposed further sales of Indian land. Then they removed one source of Indian weakness by persuading the braves to abandon the use of liquor. Successful in his own section, in 1811 Tecumseh went south to form an alliance with the Creeks.

Westerners who had designs on Indian land for themselves or for white settlers interpreted the work of Tecumseh as an attack on white interests. They found a leader in William Henry Harrison, at that time governor of Indiana Territory. Harrison in turn was certainly not restrained by the War Department. In November, 1811, during Tecumseh's absence, Harrison moved into camp near the Indian village of Tippecanoe, on the Wabash. Provoked by what they regarded as a threat to their peace, the Indians attacked Harrison's force, and were badly beaten. Harrison immediately became the hero of the West.

For years there had been a tradition in the West that any unusual activity on the part of the Indians could be accounted for by the simple formula of British intrigue. So the work of Tecumseh was attributed not to Indian influence alone, but to British agents higher up, in Canada. The belief had little foundation in fact but it did have important results. There was a new burst of anti-British feeling in the West and this found expression in demands for the conquest of Canada.

The War of 1812

CONDUCT OF THE WAR

IF THERE was any immediate cause of the War of 1812 it was probably the work of Tecumseh and the Prophet. Their activity stirred up the West and aroused the voters. The voters in turn gave Congress a heavy majority in favor of war. It is fruitless to seek the causes of war solely in the commercial policies of the belligerent powers of Europe. They had been in effect since 1803 and they had not increased in severity since 1807. Furthermore they had probably been less harmful to American trade than Jefferson's Embargo. Evidence in support of this statement may be found in the figures showing the rise and fall of American exports. After the repeal of the Embargo in 1809 American trade showed a surprising revival, in spite of French decrees and British orders. President Jefferson might logically be considered as the greatest menace to American commerce, but there was no declaration of war against him. Leaving Jefferson out of account, France had actually done more damage to American foreign trade than England. At least between November, 1807, and July, 1812, the British seized only 389 American ships, while Napoleon's agents took 558. These figures were known to Madison and to Congress, but they seem to have had little bearing on the declaration of war; if they had been of primary importance, the declaration might well have been against France instead of England. Again in this same connection the commercial sections of the United States, particularly New England, were strongly opposed to war.

Causes and
Issues

The war hawks were responsible for the declaration of war and they proclaimed their purpose in unequivocal terms. In their statements emphasis was placed not only on freedom of the seas but on territorial expansion and the conquest of Canada. Clay and Calhoun were eloquently asserting the certainty of victory. "I believe that, in four weeks from the time that a declaration of war is heard on our frontier, the whole of Upper and part of Lower Canada will be in our possession." Clay likewise talked eloquently of dictating peace at Montreal or Halifax. Even Jefferson added his part to the song: "The acquisition of Canada this year as far as the neighborhood of Quebec, will be a mere matter of marching, and will give us experience for the attack on Halifax the next, and the final expulsion of England from the American continent. . . ." These were only samples of the belligerent talk in which Congressmen described the simple process of enlarging American possessions by conquest.

On April 1, 1812, an embargo, preliminary to war, was adopted. On June 1, after opposing war as long as he dared, Madison sent a war message to Congress; and on June 18, after a long discussion, that body declared war. The vote in the House was seventy-nine to forty-nine, with a majority of New England members in the opposition. A breakdown of the figures shows that maritime New England favored the declaration of war. The representatives from Massachusetts divided, eight opposed, but six in favor, of war.

When the war began the United States had already (February 6, 1812) voted for recruiting a force of volunteers, 50,000 strong. The regular army consisted of 6,700 officers and men. Eight days after declaring war Congress voted to enlarge it to 25,000. Before March, 1813, in the regular army only thirteen officers had been promoted to the rank of general and because of age or incompetence most of these were a sorry lot. William Henry Harrison was the youngest and most competent. General Dearborn, commander-in-chief, was sixty-one. Thomas Pinckney was sixty-three; James Wilkinson was only fifty-five, but he was a notorious scoundrel; William Hull was sixty years old. Another of the group, Alexander Smyth, has been described by Major Jacobs as "a braying ass."

England, the enemy power, had a navy of more than eight hundred war vessels, two hundred and thirty of which were larger than any American craft afloat. The American navy consisted of a dozen ships with a personnel of 5,000. But unlike the army, it had able officers, and there were hundreds of trained sailors who could be used to advantage on privateers. Langdon Cheves asked Congress to appropriate \$7,500,000 for the construction of twelve seventy-fours—heavy warships—and twenty frigates, or cruisers, but the House defeated this bill. This discrepancy in naval strength was partly offset by the war in Europe. Before the latter part of 1814 England could not concentrate her forces in American waters.

The American treasury was empty while England had an income of \$70,000,000 from taxation alone. Gallatin had submitted estimates to Congress, showing that the war would bring a deficit of at least \$4,000,000 the first year. In June, after declaring war, Congress voted to postpone the whole question of taxes. Altogether Congressional action was tantamount to an assertion that the United States could win the war with neither an army nor a navy and without money.

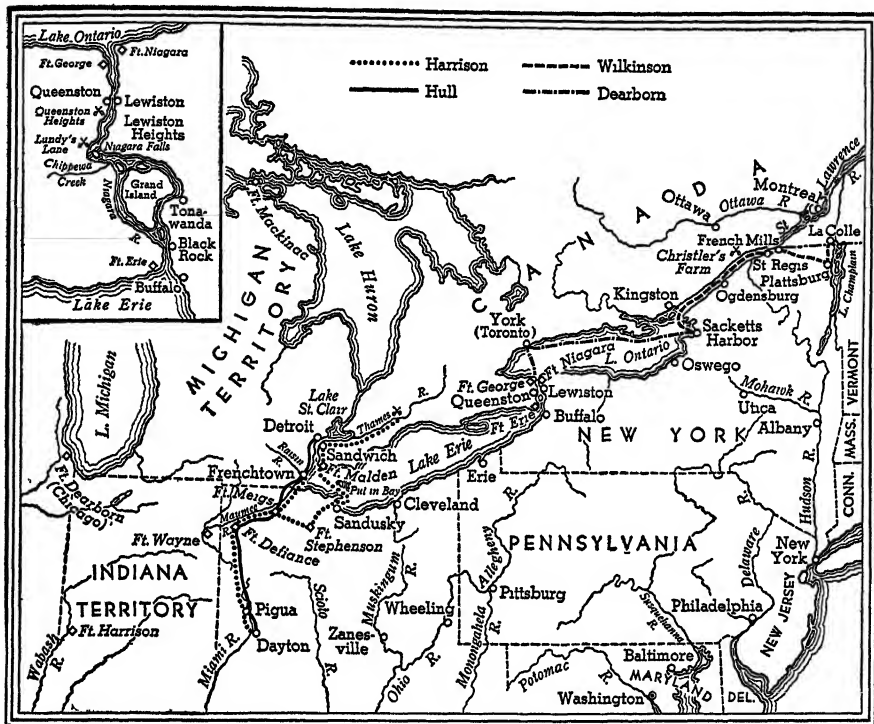
With the conquest of Canada as the primary object of the war, General Dearborn planned a campaign against Montreal, along the route of Lake George and Lake Champlain. In the Revolution General Burgoyne had failed dismally in his effort to complete the trip from Montreal to Albany over this same route. Could the Americans do any better moving north? Along with the main attack there were to be three other subsidiary movements, one from Sackett's Harbor on the eastern end of Lake Ontario, one

The
American
Position

Military
Campaigns

from Niagara at the western end, and one from Detroit, between Lakes Erie and Huron.

Apparently not a man in Washington or in the field had any conception of the tremendous difficulties in such a campaign. The frontier could not supply the army with provisions, and there were no military stores in that quarter. Moreover, there were no good roads for transporting men, muni-



MAP 16. THE WAR OF 1812.

tions, or food. "It cost sixty dollars to get a barrel of flour from Philadelphia or New York to Detroit, and fifty cents to transport every pound of shot, cannonballs, and ammunition."

The first actual advance was that toward Malden, on the Canadian side, some twenty miles across the river from Detroit. General Hull took command of his troops at Dayton, Ohio, before war was declared, and started on the two hundred mile march toward Detroit. Although he knew that the British controlled Lake Erie, Hull sent all his baggage, hospital stores, intrenching tools, and even his muster rolls and instructions by schooner to Detroit. He chose this method because of the virtual impossibility of sending heavy supplies by land; they would not arrive in time for the campaign. What he sent by water did not arrive, either. The British captured the whole consignment.

Hull's
Surrender

Even with this help, the British commander, Brock, could not muster a force as large as Hull's. Hull crossed into Canada, and then, overcome by fear, recrossed to Detroit. Brock followed, and playing upon the American general's timidity, frightened him into a surrender. Brock, with a force of hardly more than thirteen hundred men, had captured an American army of twenty-five hundred; worse yet, with Detroit he got the whole Michigan territory. Subsequently General Hull was courtmartialled for cowardice, and the facts unfortunately demonstrated the truth of the charge. Since Hull was an old man, his only punishment was the loss of his command. The other campaigns planned for 1812 were not so disastrous; they were merely negative. The operations around Niagara brought no results. In northern New York General Dearborn led a large force from Plattsburg to the Canadian line; then he led them back to winter quarters.

In the meantime, on the sea, officers and men of the little American navy were giving an inspiring demonstration of what could be accomplished with proper equipment and leadership. Only three days after General Hull surrendered at Detroit, his nephew, Captain Isaac Hull, commanding the frigate *Constitution*—the famous "Old Ironsides"—defeated and destroyed the British *Guerrière* off the Gulf of St. Lawrence. Three other duels of a similar sort, with ships of approximately the same strength, resulted in equally decisive victories for the Americans.

Naval
Victories

The British navy, however, with its vast strength soon swept the American flag from the Atlantic. But the American commanders found opportunities to do effective work on the Great Lakes, even if they were barred from the seas. In the winter of 1812-1813, Commodore Oliver Hazard Perry built six small ships for service on Lake Erie. On September 10, 1813, he decisively defeated the British fleet on the Lake. Perry's victory enabled General William Henry Harrison, the new commander in the Northwest, to recapture Detroit. Then, in October, 1813, at the battle of the Thames, Harrison won an important victory and so secured the West against further danger of British attack. During 1813, General Dearborn captured Toronto, or York as it was then called, and held it long enough to burn the public buildings. In the same year renewed efforts were made to cross over into Canada from northern and western New York.

General
Wilkinson

To take command of this expedition General Wilkinson was brought up from the South. He got his orders on May 19, 1813, at New Orleans; after proceeding leisurely by way of Washington and New York he turned up at Sackett's Harbor on August 20. Wilkinson found himself in command of a force of 3,483, of whom 1,441 were unfit for duty. His subordinate officers were no more competent than their commander and the enlisted men had received almost no training. Rations could hardly be characterized as well balanced; they were chiefly bread, meat, and whisky. Much of the illness was intestinal, doubtless due to poor food. Rumor had it that the bakers "mixed their dough with the inshore water near the latrines." As

for clothing, the men had no waterproof coats, and nothing to keep them warm but their blankets.

The plan of campaign called for an attack on Montreal, and Wilkinson moved his troops down the St. Lawrence. Early in November they were on the Canadian side, some twenty miles northeast of Ogdensburg. Then came the defeat for which Wilkinson was partly responsible. The real responsibility lay farther back, partly on Congress, for declaring war without making adequate provision for prosecuting it, partly on former President Jefferson for letting the army deteriorate, partly on President Madison for making William Eustis, and later John Armstrong, Secretary of War. Madison at first showed lamentable judgment in the choice of his subordinates.

In the following year, 1814, Madison appointed new generals who began to win victories. In July, Winfield Scott, recently promoted to the rank of brigadier-general, defeated the British at Chippewa, and later the Americans practically won the decision at Lundy's Lane. But British reinforcements prevented the Americans from occupying any appreciable stretch of Canadian territory.

The last naval battle of real consequence in the war was fought on Lake Champlain. In the summer of 1814 the British planned to send a force of eleven thousand men south along the Lake over Burgoyne's old route to Albany. Captain Thomas Macdonough was in command of the few American vessels on Lake Champlain. Although he had the smaller force, he used it to the best advantage and won a brilliant victory. By so doing he made the proposed British invasion of New York impossible. With Macdonough's victory in the east and with Scott's work in the west the Americans secured control of their whole northern border westward from New Hampshire. After two years of war the Americans seemed to be holding their own, but they were unable to inflict a decisive defeat upon the British.

In the South, Andrew Jackson was placed in charge of militia forces, primarily to break the Indian power in Georgia and Alabama. During the spring and summer of 1814 he was fighting the Creeks; he inflicted a decisive defeat upon them at the battle of Horseshoe Bend. This victory opened a new section of the Southwest to white settlement, and consequently to cotton culture. As for Jackson himself, it brought him a major-generalship and the command in the Mobile-New Orleans district.

With the defeat of Napoleon in 1814, the British government was able to devote more of its forces to the American war. In addition to the projected invasion by way of Lake Champlain already referred to, the officials planned one campaign in and around Chesapeake Bay, and another against New Orleans. On the Chesapeake the two main objectives were Baltimore, with its shipping interests, and Washington, the federal capital.

For nearly a year and a half before the land attack the British fleet had been in full control of the Bay, yet the administration had done little to provide for the defense of Washington. On August 19, 1814, General Ross

Victories on
the Border

landed four thousand veteran troops at Benedict, Maryland. To meet this danger, General Winder and Monroe, Secretary of State, sent out a call to the neighboring states for militia. Then after a hasty glance at the improvised army drawn up to guard Washington, Madison and his Cabinet drove away to take refuge in the woods of Virginia. Once in the capital, the British burned the Capitol, department buildings, and the White House. This done, at the end of a week the British re-embarked, while the population of Washington, official and otherwise, slowly filtered back to view the wreckage. During the same summer, British forces occupied portions of Massachusetts, now in the state of Maine. By September, they were in full possession of the region around the Penobscot River, and the inhabitants were required to take an oath of allegiance to George III.

The last campaign of the war, in the New Orleans district, began late in the fall of 1814. On December 23, the advance guard of the British army was within seven miles of New Orleans. General Jackson succeeded in administering such a check to that force that the commander waited for the main army. After another preliminary encounter, in which the advantage was with the Americans, the real battle came on January 8, 1815. The British forces, veterans of seven years' experience in Europe, were completely defeated, and by the end of January they were in full retreat. This victory, however, had no effect upon the outcome of the war, because just two weeks before the battle, the treaty of peace had been signed.

Even so, in the minds of Americans Jackson's success seemed ample compensation for the disastrous record in 1812. The work of the younger commanders overcame the shortcomings of John Armstrong, the Secretary of War, the niggardly financial policy of Congress, the exigencies of party politics, and the incompetence of President Madison.

FEDERALIST OPPOSITION

While the national administration was demonstrating its incapacity in the conduct of the war, the New England Federalists were gradually moving from opposition toward treason. The Constitution defines treason as making war upon the United States, or rendering aid and comfort to the enemies thereof. The following record will show how close these disaffected New Englanders came to this definition. From the very beginning of Jefferson's first term, in fact from the day of John Adams's defeat in 1800, New England Federalists had complained about Democratic mismanagement. As they saw their commerce ruined and their prosperity destroyed under the operation of the Embargo and of the war, their enthusiasm for the federal system vanished. From 1812 to 1814 some of the Federalist leaders were more concerned with opposing the national government than in fighting the British.

In the years before 1812 and for many years thereafter, the stock remedy for a dissatisfied section was the doctrine of states' rights, set forth in excel-

Capture of
Washington

Jackson at
New Orleans

Renewed
Plans for
Secession

lent manner in the Kentucky and Virginia Resolutions of 1798-1799. The New England Federalists had even talked secession in 1804, and as they saw calamities accumulating around them, they reverted to their states for protection. Perhaps the Federalist view was most ably represented in some resolutions of the Connecticut and Massachusetts legislatures, which in subject matter and tone, deserve to be ranked with their more famous prototypes from the South. The Connecticut legislature declared that "the state of Connecticut is a FREE, SOVEREIGN and INDEPENDENT state; that the United States are a confederacy of states; that we are a confederated and not a consolidated republic." In similar vein, the Great and General Court of the "free, sovereign, and independent State of Massachusetts" resolved that "Whenever the national compact is violated . . . this legislature is bound to interpose its power, and wrest from the oppressor its victim. . . . This is the spirit of our Union . . . explained by the very man [Madison] who now sets at defiance all the principles of his early political life."

On June 22, 1812, four days after the declaration of war, the governor of Massachusetts refused to comply with the request of the Secretary of War that he call out the state militia. Four days later he issued a proclamation for a public fast day to ask God's forgiveness for the war. At the same time, the House of Representatives of Massachusetts issued an "Address to the People," urging them to "organize a *peace party* throughout your Country, and let all party distinctions vanish. . . . Express your sentiments without fear, and let the sound of your disapprobation of this war be loud and deep. . . . If your sons must be torn from you by conscriptions, consign them to the care of God but let there be no volunteers except for a defensive war." On July 14, a convention of delegates from over fifty towns in the Connecticut valley met for the purpose of opposing the war.

The three states of Massachusetts, Rhode Island, and Connecticut were financially stronger than any other section of the Union, but during the war New England bought only \$3,000,000 worth of federal bonds while the middle states took \$35,000,000 worth. New England merchants furnished provisions to British ships operating off the coast. The following extract from a letter written by the British commander in Canada, August, 1814, is an eloquent commentary on the pro-British attitude of some Americans: "Two-thirds of the army in Canada are at this moment eating beef provided by American contractors. . . . This circumstance, as well as that of the introduction of large sums of specie into this province, being notorious in the United States, it is to be expected Congress will take steps to deprive us of those resources, and under that apprehension large droves are daily crossing the lines coming into lower Canada."

Was this
Treason?

In September, 1814, Massachusetts withdrew her militia from federal service, and placed the force, seventy thousand strong, well drilled and well equipped, under a state commander. This step was taken two weeks after the capture of Washington, and one week after a portion of Maine had

been overrun by the enemy. Justification for the act was found in the necessity of providing for local defense, because of the alleged inability of the federal government. Connecticut had already done the same thing, and these state armies, more formidable than any federal forces, gave the President ample cause for concern. One of the best, clearest, and most logical expositions of the states' rights doctrine and of the New England state of mind is to be found in a speech in the House of Representatives, delivered on December 9, 1814, against a proposed federal conscription law:

Conscription
Opposed

No law professedly passed for the purpose of compelling a service in the regular army, nor any law, which under color of military draft, shall compel men to serve in the army, not for the emergencies mentioned in the Constitution, but for long periods, & for the general objects of war, can be carried into effect. In my opinion, it ought not to be carried into effect. The operation of measures thus unconstitutional & illegal ought to be prevented, by a resort to other measures which are both constitutional & legal. It will be the solemn duty of the State Governments to protect their own authority over their Militia, & to interpose between their citizens & arbitrary power. These are among the objects for which the State Governments exist & their highest obligations bind them to the preservation of their own rights and the liberties of their people. . . . With the same earnestness with which I now exhort you to forbear from these measures, I shall exhort them [his constituents] to exercise their unquestionable right of providing for the security of their own liberties.

The whole speech, of which this quotation is a short extract, is a moving appeal for nullification, in case the measure under discussion should become law. Neither Jefferson in 1798 and 1799, nor John C. Calhoun in the years after 1825 could put more strongly the case for state "interposition" against federal authority. In this instance the speaker was not from the South, but from New England. Not so many years later he was destined to move over to the other side of the question, and on that side to deliver the most famous plea for federal supremacy ever heard in Congress: the great reply to Hayne. This speaker of December 9, 1814, was no other than Daniel Webster.

Hartford
Convention

In 1814 various towns in Massachusetts began to urge a convention, to consider plans to protect the state from the evils of war. The local House of Representatives took up the project, and in October voted to appoint delegates to meet at Hartford, to confer with delegates from the rest of New England. Among the Massachusetts representatives were George Cabot, Harrison Gray Otis, and Nathan Dane. Connecticut and Rhode Island took similar action, and on December 15, 1814, the Hartford Convention assembled. Represented in it were two distinct shades of opinion. All the members were dissatisfied over the prevailing conditions, but they did not agree on a remedy. The extremists were eager for secession, but the moderates controlled the deliberations, and they were prepared to try diplomacy and negotiation before they turned to the last resort. After a secret session of three

weeks, they issued a report, setting forth their views. Part of this document consisted of quotations from Madison's own Virginia resolutions of 1798, now returning like an uneasy ghost to add further torment to his troubled soul.

The report concluded with resolutions calling upon the states to adopt certain measures for their own protection. Their citizens were to be properly guarded against any federal conscription law; the states were to seek from the federal government authorization to defend their own territory, funds for which were to be derived from federal revenue, collected within the states. In addition the report recommended seven amendments to the Constitution, designed to abolish the three-fifths clause in the matter of representation, to make admission of new states impossible without a two-thirds majority in each house of Congress, to prohibit all embargoes of longer than sixty days, to prevent a declaration of war without a two-thirds vote, and others to put an end to the Virginia monopoly of the Presidential office. If these various recommendations were unheeded, the delegates promised a second convention, and the promise was accompanied by a thinly-veiled threat of secession.

The convention sent a committee on to Washington to lay its demands before the federal authorities. But before they arrived news of Jackson's victory at New Orleans, followed by the report of satisfactory peace negotiations, made the errand ridiculous. This news of victory and peace may have saved the Union, for the New England Federalists, maddened by the ruin of their commerce, were bent upon serious business. Possibly the numerous Jeffersonians in New England would have been strong enough to prevent secession, possibly not. But with the end of the war the dissatisfied elements found it more profitable to resume their commercial operations than to continue the contest with the unfortunate Madison.

NEGOTIATIONS FOR PEACE

Negotiations looking toward peace had been started in the first year of the war. The Czar of Russia offered mediation, but while Madison accepted, the British government rejected the proposal. In the summer of 1813, Castlereagh offered to negotiate directly, and Madison was ready to grasp any scheme for getting out of the contest. It took time to bring the two groups of commissioners together, but they began their discussions in the summer of 1814 at Ghent. The American commission was noteworthy for the experience of all of its members, while three of them, John Quincy Adams, Henry Clay, and Albert Gallatin, were men of outstanding ability. The other two, James A. Bayard and Jonathan Russell, were not so important.

John Quincy Adams, son of John Adams, had perhaps been more fortunate than the others in his opportunities and in the breadth of his experience. Having begun his career of public service at the age of eleven, when he acted as secretary to his father in Paris, in 1778, he had repre-

Peace Com-
missioners

John Quincy
Adams

sented his state in the federal Senate, and his country at St. Petersburg. In 1814 he was forty-seven years of age, with his qualities of strength and weakness fully developed. He was familiar with the practice of diplomacy, and unlike some diplomats of his time, honest and straightforward. But with all of his intellectual power and high principles, he had certain traits of personality and temperament which frequently proved embarrassing. Precise and stiff in manner, like his father, he antagonized those who might have been his friends. In dealing with strangers, colleagues, public officials, and even members of his own family he was generally cold and formal. Always aware of his own exalted purposes and conscious of his own rectitude, he seemed self-important and priggish. He was a good product of New England Puritanism; this he knew, and it was a matter of pride with him. Like other true Puritans, he was too introspective for his own good. Beginning at the age of eleven, he kept a diary regularly until within three days of his death, in which he recorded his acute observations of public affairs, prominent individuals, and of course of himself and his conscience.

Henry Clay

On his arrival at Ghent in 1814, he wrote: "I dined again at the table d'hôte at one. The other gentlemen dined together at four. They sit after dinner, and drink bad wine and smoke cigars, which neither suits my habits nor my health, and absorbs time which I can ill spare. I find it impossible, even with the most rigorous economy of time, to do half the writing that I ought." Life was a serious responsibility to him. Even when he permitted himself a mere taste of recreation, he had to go through the ceremonial of repentance and confession, not of course before a priest, but to his journal: "There are several particulars in my present mode of life in which there is too much relaxation of self-discipline. I have this month frequented too much the theatre and other public amusements; indulged too much in conviviality, and taken too little exercise. The consequence is that I am growing corpulent, and that industry becomes irksome to me. May I be cautious not to fall into any habit of indolence or dissipation!" Henry Clay, Speaker of the House of Representatives, war hawk of 1812, was the very opposite of his New England associate. The young Kentuckian, only thirty-seven years old at this time, was still possessed of the enthusiasm and high spirits of youth, qualities which Adams successfully repressed. Eager, hot-tempered, and impulsive, Clay knew nothing of introspection, moralizing, or confession; even repentance was something which overcame him, if at all, only at the rarest intervals, after heavy losses at poker. He was no Puritan. He enjoyed sitting at table after dinner, smoking cigars and drinking wine; the quality mattered little, provided there was enough to go around. It was not his fashion to dine alone, like an anchorite; he loved the companionship of his fellow men, at dinner and all the time. "Just before rising," wrote John Quincy Adams—he rose at five A.M.—"I heard Mr. Clay's company retiring from his chamber. I had left them with Mr. Russell, Mr. Bentzon, and Mr. Todd, at cards. They parted as I was about to rise."

It was to be expected that these two would find it difficult to agree on any common course of action. Differences they had, many of them, but they were kept from drawing too far apart by the tact of Albert Gallatin. After chafing for three years under the political tyranny of the Smith-Giles faction, the aim of which was to keep Madison as uncomfortable as possible, Gallatin welcomed the opportunity to go abroad. He was in some respects the ablest member of the commission. Even-tempered, tactful, and sensible, he assumed the responsibility of maintaining harmony. His good nature and endless patience were largely responsible for the final results.

To deal with this brilliant group of Americans, the British government sent a commission consisting of three mediocrities, practically unknown at the time, and destined to remain so. They were Lord Gambier, Henry Goulburn, and William Adams. This work at Ghent was Lord Gambier's first venture into important public business; Goulburn was one of the under secretaries of state for the colonies, while Adams was an admiralty lawyer. More able men could not be spared; they were with Castlereagh at Vienna, engaged in drawing the new map of Europe made necessary by Napoleon's surrender. Castlereagh himself was kept busy in looking after British interests at Vienna and in directing the work of his subordinates at Ghent.

When negotiations began the American position was poor, so poor that the Americans might well have been expected to take whatever terms the Cabinet cared to lay down. On the seas the British navy was supreme and the blockade of the American coast was steadily becoming more rigid. On land every attempt to invade Canada had failed, and there was little in the administration to inspire hope of better results to come. In New England the widespread discontent was pointing dangerously toward secession. The ending of the European war had suddenly released England from her burdens on the continent of Europe and enabled her to send her veterans to America. Furthermore, the policy of isolation which the United States had chosen and consistently followed had left her without an ally, if not without a friend in the world. Fully cognizant of the situation, the British envoys were inclined to be "arrogant, overbearing, and offensive." In October, 1814, both groups of commissioners got word of the burning of Washington; the receipt of this news gave further tactical advantages to the British, so much so that when the game of negotiations started, they seemed to hold all the high cards.

The
Military
Situation

Relying on the strength of their hand, the Englishmen opened with a series of terms not out of harmony with their victorious position. The greater part of the old Northwest was to be made over into an Indian state, independent, but under British protection. The northern part of Massachusetts (Maine) was to be ceded to Canada. The United States must relinquish all right to maintain war vessels on the Lakes. Finally, the right of Great Britain to navigate the Mississippi must be renewed.

The Americans, on the other hand, had been instructed to obtain formal

**The Rival
Instructions**

recognition of the theories of maritime law proclaimed by the United States, and formal abandonment by the British of their alleged right of impressment. The Americans were also to secure indemnities for illegal captures at sea, and to urge the desirability of transferring Canada to the United States. On the submission of the British demands, the Americans promptly rejected them. At this point, the peculiar abilities of Henry Clay were put to work. Although innocent of experience in the game of diplomacy, he had given himself intensive training in another pastime, success in which depends upon a deep understanding of human nature: the American game of poker. After looking over the British commissioners, he became convinced that regardless of their demands, they were unusually eager for peace. That was all Clay needed. On the strength of his convictions, the Americans refused to continue the discussions, and ostentatiously prepared to go home. Clay knew almost exactly how his adversaries would behave, and he was certain that, even if they recognized his bluff, they would not dare to call him.

**Amateur
Diplomacy**

He was right. Knowing little about poker, the British agents had neither the skill nor the courage to call; on the contrary, they made the blunder of letting Clay see how deeply disturbed they were at his procedure. Then they wrote home for new instructions, and got them. Moreover, their manner began to change. They knew that they had been maneuvered out of their original position so they became less arrogant and more uncomfortable as they watched the untutored Americans playing them out of their assets.

The British had decided to make peace, as Clay guessed. Tired of war, the English people were uneasy at the prospect of any further fighting and opposed to any more expense. Moreover, if the contest lasted, there was always the danger that some European power might come to the assistance of the Americans. Britain was none too popular in certain quarters of Europe, and the history of the American Revolution had not been forgotten. The risks of continuing an unnecessary war were too great.

**Treaty of
Ghent**

So it happened that the commissioners prepared to talk business on any terms they could get. Both sides yielded on so many issues that the final draft bore little relation to the original sets of demands or to what were supposed to be the issues of the war. Signed on December 24, 1814, the Treaty of Ghent provided for the cessation of hostilities, for the release of prisoners, for the restoration of all conquests on both sides, for the ending of Indian hostilities, and for the appointment of commissioners to settle disputed boundary questions. There was not even a remote reference to impressments, blockades, right of search, or neutral rights, nothing at all about the fisheries, nothing about the control of the Great Lakes. It was a very different document from the one Clay had pictured, back in 1812, dictated at Québec or Halifax, so different that his characterization of it as a "damned bad treaty" may at least be understood.

But the treaty was far from being as bad as Clay thought at the time.

There was really no need to settle the questions of maritime law, because they arose to cause trouble only during war, and the European war was over. No matter what agreements were reached during peace, there could be no certainty that they would be respected in another worldwide struggle. If the United States gained nothing by the war, she certainly lost nothing, except money and men. The direct cost of the war in money was \$119,624,000. In view of the downright stinginess of Congress and of the incompetence of the War Department, the outcome might have been considerably worse. As Admiral Mahan put it: "The record, upon the whole, is one of gloom, disaster, and governmental incompetence, resulting from lack of national preparation, due to the obstinate and blind prepossessions of the Government, and, in part of the people."

The successes of the Americans at Ghent did much to atone for the failures of their superiors at Washington. The Marquis of Wellesley, brother of the Duke of Wellington, paid the commissioners a compliment in saying that "in his opinion they had shown a most astonishing superiority over the British during the whole of the correspondence." Fortunately the Americans were inclined to accept this view, and the treaty was unanimously ratified by the Senate.

Some of the unsettled issues were dealt with in later negotiations. In 1815 the two governments accepted a commercial treaty, which practically revived the commercial sections of Jay's Treaty. In 1817 Great Britain and the United States agreed that neither party should maintain naval forces on the Great Lakes. As a result of this arrangement, neither Canada nor the United States has fortified the boundary between the two countries and at present the three thousand miles of border is the longest unfortified international boundary in the world. In 1818 another treaty renewed American fishing rights off Newfoundland.

Later
Agreements

The War of 1812 has sometimes been called the second war for independence, but this characterization ignores both the causes and the results of the struggle. After the war the United States was no more independent than before. This government gained nothing which it had not previously enjoyed. The problem of impressment did not arise again. It was a war issue and it automatically dropped out of sight with the end of the war. So too did the contest over neutral trade. Once the war was finished the seas were free, and they remained so for one hundred years. Orders in council were at least no more burdensome than they had been before 1793 and Napoleon's continental system went to pieces when he was driven from power in 1815. But when a new world war broke out in 1914, the whole tangle of neutral rights *versus* belligerent restrictions again arose to torment this nation.

Growth of the West and South

THE AMERICAN PEOPLE TURN WEST

Real
Independence

FROM the establishment of the federal government in 1789 to the ratification of the Treaty of Ghent in 1815, the United States had been compelled to labor under the constant pressure of foreign difficulties. On the frontier the Americans had been temporarily prevented from occupying lands belonging to them and forced to suffer unnecessary Indian outrages, because of the machinations of Great Britain and Spain. When these dangers were removed, American vessels on the seas were subjected to indignities just because the two leading European powers were trying to starve each other into submission. At home, political parties and sectional groups adopted policies in accordance with their attitudes toward these European complications. The federal government could never find uninterrupted leisure for the study and solution of important domestic issues.

Suddenly all this was changed. With the collapse of Napoleon's power and the ending of the long wars, European statesmen clamped down the lid on revolution and turned to the work of putting their own house in respectable order. The United States found itself let alone for the first time in its history, free to work out its own destinies. With evident relief the American people turned away from Europe and began to seek their fortunes in economic development at home.

After the close of the War of 1812 national leaders determined to make the country prosperous by promoting the development of each major section—South, West, and East—and to make it united through the ties of mutual dependence. Under this plan manufacturing interests in the East were to be encouraged and protected from foreign competition by a tariff. Then the South could devote itself to cotton culture, to furnishing raw materials for the growing textile interests and for export; the West could specialize in food production, to supply both the other sections. By making each geographical area dependent on the other two, and by making them all prosperous, the new statesmen could achieve economic as well as political independence. Another essential part of the program called for better facilities for transportation, to make possible the shipment of raw material, manufactured goods, and food from one section to another. The funds necessary for building roads and canals might be derived from a tariff, and this project

might be used to convert both farmers and merchants to the protective tariff principle.

These, reduced to their lowest terms, were the fundamental ideas of the "American system," usually attributed to Henry Clay. But while Clay was a great popularizer of this comprehensive program, he was not the inventor of it. Like other great conceptions, it was evolved out of the meditations of a large number of active-minded Americans. It was a logical development of Hamilton's economic nationalism, and one of the most elaborate expositions of the program is to be found in the Farewell Address of George Washington. For a time all the war hawks of 1812, including Calhoun, Lowndes, and Grundy, were associated in promoting the "American system" and in addition to them were John Quincy Adams, and somewhat later, Daniel Webster.

The
"American
System"

Because the federal government owned all the public land in the West, the development of this section would depend on the type of land policy adopted. Settlers could not afford to move to the frontier unless they could buy land on favorable terms. The first land laws actually discouraged sales. In 1796 Congress passed a law providing that no individual could buy a tract under 640 acres, one section, in area, and the price was two dollars per acre. One-half the total amount had to be paid at the time of purchase, and the balance at the end of the first year. It was difficult for any ordinary farmer to raise \$1,280 in one year, so this law brought few buyers. Four years later, under the influence of William Henry Harrison, Congress reduced the tract for individual purchasers to one half-section, 320 acres, and authorized sales by auction to the highest bidder, but only for the brief period of three weeks following the opening of new land offices. After that time the price was still two dollars per acre. The down payment, however, was cut to 25 per cent, and the buyer was allowed four years to complete his payments. In 1804 the size of the individual tract was again reduced, this time to a quarter-section. Again in 1820 a buyer could take as little as 80 acres, and the price was cut to \$1.25 per acre. The next reduction came in 1832, when purchases of forty-acre tracts were permitted.

Before 1815 land sales by the federal government were almost negligible in amount, but after the close of the War of 1812 they increased notably: 1815, more than one million acres; 1817, nearly two million acres; 1819, more than five million acres. This increase was due in part to the liberality of the government. Purchasers who failed to meet their payments on time were not evicted, so the report spread that the full amount need not be paid at all.

Land
Policies

One more aspect of the public land policy should be mentioned—the pre-emption system. According to this arrangement a settler who had actually occupied a piece of public land and had begun to cultivate it received the first privilege of buying. Between 1801 and 1842 Congress passed sixteen separate pre-emption acts, all containing the fundamental provision that actual settlers should have the first right of purchase. Under this arrange-

ment pioneers who had pushed out beyond the settled areas into lands which Congress had not yet opened to sale enjoyed free use of the land they occupied, sometimes for several years. When it was opened for sale, they could buy at the minimum price of \$1.25 per acre, even though the market value might be considerably higher. Thus the settler benefited, though perhaps at the expense of the government.

After 1845 the demand for free land was taken up by social reformers as one means of relieving poverty and want. Some of these enthusiasts went to extremes in their advocacy of what they called land reform. In 1848 the platform of an anti-slavery political party expressed the hope that the day would soon come "when the land will be no more bought and sold; and when the right of every human being to land, light, air and water, will be universally acknowledged to be as perfect and absolute as his right to his body." It was the duty of the government, these people declared, to "restrain its subjects" from buying and selling land. The only important result of this agitation was the enactment of the Homestead Act, in 1862.

Population was increasing rapidly in all parts of the United States, but the rate of increase was much more rapid in the region beyond the Alleghenies than elsewhere. Between 1810 and 1820 the total population increased from 7,242,000 to 9,636,000 while the figures for the West for the same years were 1,583,000 and 3,063,000. Or, to put it another way, in 1810 less than 22 per cent of the population lived beyond the Alleghenies; in 1820 nearly 32 per cent and over 38 per cent in 1830. The figures for some of the individual states show a surprisingly rapid development. In Indiana, for example, the population was 24,000 in 1810; 70,000 in 1816; 112,000 in 1817. In the same state the town of Vevay was first laid out in 1813. By 1816 it had become the county seat, with a courthouse, schoolhouse, public library, a weekly newspaper, various stores and taverns and seventy-five dwelling houses.

This particular western boom, which filled up the old Northwest, really began about 1807. With the wave of prosperity which the European war brought to the United States, the former western movement had slackened somewhat. Times were good, opportunities for making money were abundant, and there was no particular incentive to gamble with the uncertainties of the frontier. But the Embargo and the War of 1812 put a stop to American commerce and likewise to agricultural profits; then, as always, the pressure of economic reverses turned the hopes of the discontented toward the West.

From 1811 to 1817 especially, people living in towns along the main highways and keepers of toll gates and bridges reported an almost constant stream of emigrants moving toward the Ohio valley and the Northwest. In one month in 1811, one interested observer in western Pennsylvania counted two hundred and thirty-six wagons passing through his town. Four of the wagons had sixty people with them, but the average per wagon was about

eight. Western New York told the same story. The road through Auburn was thronged with families from the East. In 1814, in one day, six wagons from Massachusetts, with seventy persons, went through Newburgh, bound for Ohio. In 1817, the keeper of one toll gate reported that two thousand families, with sixteen thousand people passed him, westbound. These examples are simply picked at random out of almost countless cases. Families who could not afford a wagon went on foot, drawing their few possessions, and occasionally small children, in a hand cart. The tide flowed on, almost without interruption, winter and summer alike.

The
Emigrant
Stream

The explanation of this westward migration is the same as that given for the similar trend during the colonial period: dissatisfaction with conditions at home and hope for a more favorable environment on the frontier. Farmers found themselves confronted with the choice between more intensive agriculture, or moving out where they could get more land. For many the second alternative was the easier. Debtors and failures found hope in the western vision, and the ambitious laborer looked forward to becoming an independent property owner. Western opportunity became proverbial.

To what extent the opportunity was real and to what extent imaginary may be open to question. In these western communities with their primitive standard of living the requirements of social convention did not prevail, so there were practically no artificial standards to meet. That fact alone reduced to a negligible figure the cost of raising a family. The man who was ready to begin life over again and to live for a time as his remote ancestors had done, found his opportunity in the West. But for the man who appreciated the benefits and comforts of civilization, the boasted opportunities of the frontier were largely illusory. The father of a great American historian, economist, and sociologist, William Graham Sumner, who tried pioneering in this very period, came back home, with the sage observation that if a man was willing to live as poorly and to educate his children as badly in the East as he would be obliged to do in the West, he could do better at home.

On all the successive frontiers but the last, which was more of a mining section than the others, the stages in the settlement were much the same. The first human beings on the scene were Indians, hunters, and trappers. These first adventurers were closely followed by the traders, whose appearance marked the first step away from savagery. After the trader came the cattlemen, looking for free grazing along the wide expanse of empty land. The ranchers were soon followed by the first farmers, men who raised crops under the least satisfactory conditions. They began the process of bringing the virgin soil under cultivation. Once that was done, some of them settled down, and as the population increased, they resumed the ways and manners of civilization. The more restless of them, who could not tolerate the sight of smoke from a neighbor's cabin, moved ahead with the vanguard toward the next frontier.

Stages of
Development

Some of the newer farming sections in the West developed rapidly, with towns, cities, and the accompanying beginnings of industrial life. These were the parts more favorably situated, within easy reach of road or water transportation. The pioneers never knew which sections were destined to grow and which were not, and until the railroads came in, there were numerous backwaters of settlement, areas practically isolated from all the rest of the world.

American
Traits

During the colonial period the constant flow of new immigrants had tended to maintain some of the contacts with European culture. This was true even on the frontier because many of the settlers there were newcomers to America. Beginning with the Seven Years' War the number of immigrants dwindled, and during the Revolution it practically ceased. Then the long war in Europe, lasting for practical purposes from 1793 to 1815, had tended still further to prevent additional Europeans from coming over. Under the circumstances, therefore, the United States had been almost cut off from direct contact with the thought of Europe. At the same time, the country was subjected to a new influence, that of the frontier, which began to work back upon the older communities. Conditions had never been better for the amalgamation of the diverse elements in American life.

It was more than simple accident when, after 1815, travelers from Europe began to describe the "typical American." Before 1800 the differences between the ordinary American and the ordinary European had not been so striking as to arouse comment. By the end of the War of 1812, the divergence was clear. The impressions that the foreign observers carried home with them varied considerably, depending on the part of the country visited, and on their own sense of humor, or lack of it, and on their power of adjustment. But in the case of those who traveled widely, there was a general agreement that the New England population around Boston differed radically from the Americans living between Harrisburg, Pennsylvania, and Cincinnati, Ohio, the region then in process of transition from frontier conditions to the normal state of civilized society.

Charles
Dickens

To an observing Englishman like Charles Dickens one of the outstanding American characteristics seemed to be crudeness of bearing, manners, and customs. In the early 1840's he was amused and disgusted at the widespread prevalence of tobacco-chewing with its accompaniment of spitting, regardless of time, place, or circumstance. On an Ohio River steamboat it disturbed him to find in the men's cabin no place but the floor to leave his clothes when he retired, and it did not add to his equanimity when, in the morning, he had to take them up on deck, to clean off the tobacco juice deposited upon them by his fellow-travelers during the night. The same signs of the habit he observed in Congress, at receptions, at inns, everywhere in fact outside of the Boston, New York, and Philadelphia aristocracy.

He also found the Westerners serious-minded, taciturn, and lacking in

humor. Many of them traveled in silence, ate their meals in silence, chewed their tobacco in silence, and spat with as much silence as possible. "Nobody says any thing, at any meal, to any body. All the passengers are very dismal, and seem to have tremendous secrets weighing on their minds. . . . Every man sits down, dull and languid; swallows his fare as if breakfasts, dinners, and suppers were necessities of nature never to be coupled with recreation or enjoyment. . . . The people are all alike too. There is no diversity of character."

But Dickens was too severe on the West. There were admirable qualities there. These new Americans were an industrious lot, hard workers, with few if any idlers among them. They were engaged in a serious business, that of conquering a continent, and if they appeared unsociable when they traveled, they were probably tired out. The frontier did not develop the social graces, it is true, but it brought out qualities which were essential to the business at hand. Moreover, these Westerners were ambitious, both for themselves and even more so for their children. Every man among them hoped to give his children a better place in the world than he had succeeded in making for himself. It may be that this combination of hard work and ambition gave rise to another American quality, that nervous, hurried energy which always surprised visitors from abroad.

Another trait that distinguished the true American was his strong faith in the future greatness of his country. Americans considered that Europe, already effete, was on the decline, and for the centuries to come the United States would be superior to any nation the world had ever seen. This conviction led naturally to boastfulness, which the Europeans were inclined to ridicule.

Faith in
the Future

Other nations boast of what they are or have been, but the true citizen of the United States exalts his head to the skies in the contemplation of what the grandeur of his country is going to be. Others claim respect and honor because of the things done by a long line of ancestors; an American glories in the achievements of a distant posterity. Others appeal to history; an American appeals to prophecy, and with Malthus in one hand and a map of the back country in the other he boldly defies us to a comparison with America as she is to be, and chuckles in delight over the splendors the geometrical ratio is to shed over her story. This appeal to the future is his never-failing resource. If an English traveller complains of their inns and hints his dislike to sleeping four in a bed he is first denounced as a calumniator and then told to wait a hundred years and see the superiority of American inns to British. If Shakespeare, Milton, Newton are named, he is again told to wait until we have cleared our land, till we have idle time to attend to other things; wait till 1900, and then see how much nobler our poets and profounder our astronomers and longer our telescopes than any that decrepit old hemisphere of yours will produce.

This breezy bit of satire from a London magazine of 1821 was more genial in tone than many of the criticisms of American character and probably

more accurate. There is no doubt that both the faith and the bragging were carried to extremes.

Perhaps the most striking quality exhibited in these pioneer farmers was their resourcefulness, their capacity to adjust themselves to their mode of life, and supply themselves with what they needed. The life they were living drove them into adaptability. The man who could not fit himself to his environment may have gone back home, or he may have starved or frozen to death; in any case he ceased to be a pioneer. There was no charity in that sort of life. Men would help each other in misfortune and need, but they could not carry along the incompetents. Because of the necessity for doing things quickly the American became a jack-of-all-trades, and in doing so developed qualities of superficiality.

Of the lesser qualities, many foreign observers commented on the inquisitiveness of Americans. They thought nothing of asking a stranger, and especially one from abroad, where he got his clothes, how much he paid for them, how he came by his watch, whether it was a gift or a purchase, and, if the latter, how much it cost and whether he wound it in the morning or at night. Then they inquired about his previous journeys, his plans for the future, and anything else that an active mind could think of. If the victim of this rapid-fire questioning seemed reserved, he was stigmatized as a conceited, foreign aristocrat, really beneath the contempt of all true Americans.

The western American was democratic. In his community men were on the same economic and social level. They had gone successfully through the same toughening experience. At first there was little room for social distinctions to develop, because they are based upon the distinction between superior and inferior, something which did not exist in the West. Consequently there was no unfranchised element in the population—except of course the women and children. Every man could vote and hold office, and one was as good a representative of his section as another.

Between 1803 and 1821 eight new states were admitted to the union: Ohio, Louisiana, Indiana, Mississippi, Illinois, Alabama, Missouri, and Maine. The process of making the first state in the Northwest Territory differed somewhat from the procedure in Kentucky, because in the Northwest the Ordinance of 1787 had been in effect from the beginning. In April, 1802, Congress passed an enabling act, authorizing the people of the Ohio area to draft a new constitution preparatory to admission into the Union. This step, by the way, became a precedent followed in the creation of practically all new states thereafter, Texas and California being the chief exceptions. In the enabling act it was provided that the proceeds from the sale of one section in each township should be set apart for education. Congress retained the title to, and consequently the right to sell, public land in the state, but 5 per cent of the proceeds of these sales would be used to build roads. Before the end of the year a convention drafted a new constitution,

and so qualified for admission. In this document there were reflected not only the democratic philosophy of the frontier, but also the distrust of executive authority which had grown out of a long dispute with the Federalist governor, St. Clair. The new state governor would have no power of veto, and no power to appoint officials in the state civil service. Justices in the courts were not to be appointed, but chosen by the legislature for a term limited to not over seven years. Congress completed the process of admitting Ohio to the Union in February, 1803, and in March the new state government began its work.

The next developments in statehood came in the South. In the Louisiana Purchase Treaty, the United States promised that the inhabitants of the newly-acquired province should have all the privileges of citizens of the United States. In 1804 Congress divided Louisiana into two parts of unequal size, the Territory of Orleans, which included the present states of Arkansas and Louisiana, and the District of Louisiana, which included the remaining part of the Purchase. In 1804 Congress also provided for a government for the Territory of Orleans, based not upon the principles of the Ordinance of 1787, but upon the much criticized Quebec Act of 1774.

There were so many complaints over this measure that in 1805 the principles of the Ordinance were made to apply. In 1811 Congress passed an enabling act for the admission of Louisiana, with boundaries the same as those of the present state. At this time Josiah Quincy, one of the Federalist Representatives of Massachusetts, angrily warned his colleagues of the danger of admitting this new state. Should this ill-fated step be taken, he declared, the eastern states would be justified in withdrawing from the Union, "amicably if they can, violently if they must." In spite of this threat Congress admitted Louisiana in 1812, and Massachusetts did not secede from the Union.

Before other territories could acquire the population large enough to warrant their admission as states, more work was necessary in pushing the Indian barrier still farther beyond the lines of white settlement. In the Northwest, in the Wabash region, General William Henry Harrison had broken the Indian power at the battle of Tippecanoe. This was in 1811. Three years later Andrew Jackson defeated the Indians in the Southwest, at the battle of Horseshoe Bend in Alabama—then a part of Mississippi Territory—and so opened the area between Georgia and Louisiana to white advance. In 1814, with the close of the War of 1812, cotton planters were already looking for more land, and cotton planting spread rapidly and widely in response to an ever-increasing demand. In 1810 Mississippi Territory had a population of 40,352; during the next ten years the figure went up to 203,349. In 1817 Congress divided the Territory into two parts, and that same year the western part was admitted as the state of Mississippi. In this a new precedent was set: the political leaders of Mississippi submitted their new constitution to popular vote, and in the future it became

Removal of
the Indians

customary for the voters to pass on the state constitution before final admission to the Union. Alabama followed in 1819. In the Northwest Indiana was admitted in 1816, and Illinois followed two years later.

COTTON AND SLAVERY

Economic
Opportunity

If there is any one aspect of American history which needs to be emphasized above all others, it is the continuous growth and development of the opportunities for making a living. From the early days of the colonial period down to the beginning of the Civil War, America offered every able-bodied man of ambition a chance to improve his position in life. Not all the people took advantage of it, but the chance was there. The surprisingly rapid occupation of the West, the increasing use of steamboats, and the construction of canals and railroads all showed how quickly America was growing. This growth was possible because, and only because, the American people were able to use the resources which they found, to develop them and to profit from this development. The very variety of these resources enabled Americans in different sections to produce goods for sale to each other, and also to the outside world. A steadily expanding commerce, both domestic and foreign, brought increasing wealth.

In the southern states, those lying below Pennsylvania and the Ohio River, economic development was confined almost entirely to agriculture. Here in the river valleys and along the coasts of the Atlantic and the Gulf, the alluvial soil was rich and easy to work. In the upland regions the residual soil was well suited to certain types of crops, particularly tobacco and cotton. Summers were long and rainfall was generous. In the older parts of the South—Maryland, Virginia, and North Carolina—tobacco continued as the great money crop, while South Carolina still depended on rice as in colonial days. In Louisiana the planters found sugar a profitable resource. The upland farmers raised some tobacco, some corn, and some hogs. They still transformed some of their corn into whisky. But all these products were destined to be overshadowed in importance by a crop new to America: this was cotton, which has profoundly affected the history of the old South and of the newer Southwest, and less directly of the country as a whole.

Value of
Cotton

After 1800, certainly after 1815, southern expansion and southern progress depended on cotton. Cotton became the greatest export commodity; cotton shaped the plantation life throughout the new Southwest; cotton fastened the system of slave labor firmly upon all the southern states. And because the South came to specialize more and more in cotton, she became increasingly dependent upon the other sections for such necessities as food, clothing, and most manufactured goods. G. S. Callender has pointed out the fact that actually the cotton crop was worth more to the South than gold to California, because the wealth derived from cotton was greater and more widely distributed, than that derived from the gold fields.

Although the cotton plant had been cultivated in India for two thousand

years, it was not grown commercially in North America until the time of the Revolution. By 1783 Georgia was raising small quantities for export. In 1791 Georgia and South Carolina together produced about two million pounds, of which hardly a tenth was exported. So far, the plant was grown on the lowlands near the coast; this was the "long staple," "sea-island" variety, the fibers of which averaged perhaps two inches in length. But since there was comparatively little territory suited to this particular crop, its production was necessarily small.

Another kind of cotton, the upland, "short staple," variety, with a fiber averaging seven-eighths of an inch, could be grown anywhere in the South except in the mountains. This type of cotton was not commercially profitable because of the high cost of separating the fiber from the seeds. In 1793 Eli Whitney, a Connecticut Yankee sojourning in Georgia, invented a machine known as the cotton gin, for separating seeds from fiber. Upland cotton became profitable immediately, and in the course of the next forty years cotton culture spread over the South, particularly in the new states of the Southwest.

Whitney's
Cotton Gin

Whitney's cotton gin came into use shortly after the invention of new spinning machinery in England. In the old days of the spinning wheel it had been impossible to make cotton yarn strong enough for cloth, so while cotton had been used, it was mixed with linen or wool. But with the new machinery spinners could produce cotton yarn of ample strength, and cotton cloth at once became popular. It was cheap and it proved desirable for many articles of clothing. By 1825 the demand for cotton cloth was almost worldwide, and the bulk of the world's raw cotton came from the southern states. The value of this crop to the South itself and to the whole country may be seen in the increasing returns from the export trade. Down to 1800 tobacco had been the most important single article of export from the South, and in that year the tobacco exported was worth \$6,220,000; the cotton exported was worth \$5,250,000. But after that date the exports of cotton mounted rapidly: \$15,108,000 in 1810; \$26,309,000 in 1820; \$204,128,493 in 1859. The tobacco exports in 1859 stood at \$21,174,038, and this figure, it should be noted, was more than twice as high as that for any previous year. Improved machinery and changing fashions in dress made cotton king in the South.

The spread of cotton growing was accompanied by a corresponding extension and commercialization of Negro slavery. With the increase in the cotton crop, the margin of profit declined, so large-scale production became a necessity. White farmers could and did raise cotton, but there was no large supply of white labor available. The small farmer working his own farm could not compete successfully with the big plantation owner, who could afford to provide himself with labor in the form of Negro slaves. The plantation therefore became the common cotton-growing unit, with slavery for its labor system.

Slave Labor

Negro slavery was nothing new in the United States. The first recorded appearance of it was in colonial Virginia, and the institution spread to all the colonies. Although slaves were held regularly in New England until the Revolution, the system never took firm root in that section. The slaves were a poor economic investment on the grudging New England farms, so they were to be found only rarely outside the towns. The merchants owned them and kept them for household servants, stablemen, and gardeners. In the period before the Revolution there was hardly an issue of a Boston newspaper which did not carry advertisements offering rewards for the return of runaway slaves.

New England merchants were interested in the slave trade, and even after they ceased to own Negroes themselves, they continued to sell them in the West Indies and in the South, until Congress prohibited the trade. In the early eighteenth century there was little if any feeling that slavery was ethically or morally wrong. People took it as a matter of course, or disregarded it, and their attitude depended on their own particular needs. During the Revolution and afterwards, feeling against slavery became strong, more so perhaps in Virginia, where people were accustomed to it, than in New England where they saw little of it. But the New England states were the first to provide for abolition, which they could easily afford to do, because the institution of slavery had never really taken hold there. Before 1783 both Vermont and Massachusetts had abolished slavery within their borders. The Quakers of Pennsylvania likewise expressed strong disapproval of slavery. In the South some influential voices, notably those of George Washington and Thomas Jefferson, were raised against "involuntary servitude."

The question arises as to why slavery should have taken root anywhere in the new world. The system enabled the planters to get a supply of labor, which at that time could not be secured in any other way. Europe wanted from America certain semi-tropical products from the West Indies, notably sugar and cocoa. White labor on the plantations could not be had, and the Indians refused to work. African Negroes were found to work well, so they were used in constantly increasing numbers. The same thing was true on the tobacco and rice plantations in the South. In a new country where land is cheap, free labor is always scarce and high; when there are no scruples against slavery, those in need of labor fall back upon it without question.

The West Indies and the plantation colonies were not the only sections where economic prosperity depended upon slavery. In these island markets the middle and northern colonies found a steady demand for their foodstuffs: grain, meat, and fish. These latter regions would have been settled without such markets, but the wealth and prosperity which came to them were made possible by slave labor in the West Indies.

Once slavery had been adopted and the ruling class had become accustomed to it, a new factor appeared. Introduced to solve an economic prob-

lem, it developed into a social problem. The Negroes were there, as subjects of the whites. It was easier to keep the two races in this relationship than to attempt to work out new arrangements under which they could live in the same community. The white population came to the conclusion that whatever the shortcomings of slavery might be, they were less dangerous than the problem of freed Negroes.

Social and
Economic
Problems

The spread of cotton culture gave a new lease of life to slavery. In Virginia the economic wastefulness of the institution had long been apparent, and the realization of this weakness can be traced in the establishment of abolitionist societies. Before 1830 they were more numerous in the South than in the North. But the steadily growing demand for slaves on the cotton plantations, the steady rise in the prices of "good field hands" from two hundred dollars in 1792, and two hundred and fifty in 1815, to six hundred dollars in 1836, as well as the violent tone of *The Liberator* and the danger of slave uprisings, tended to smother any general abolitionist sentiment which may have existed.

And yet even on the cotton plantations the profitability of slavery steadily decreased. Slave labor was worth most on comparatively new cotton plantations. As the fertility of the soil declined, the labor of the slaves was sufficiently valuable to maintain prices at the prevailing high level. By 1840 the value of slaves in the border states was maintained by the market for them in the new cotton country. Sooner or later that demand was bound to slacken, and the cost of maintaining slaves would become greater than the return from their labor. Just when that point would be reached was not clear, but there were signs that it might have been by 1880 or 1900. Once the economic basis had gone, and it was certainly destined to go, the institution could not survive. Had it been allowed to die a natural death, the end would probably have come before the close of the nineteenth century.

In general the slaves were less efficient than free, white laborers, particularly where individual initiative was needed. With proper organization and control, however, the slaves could be fitted into the arrangements for large-scale farming. By 1830 most Southerners were convinced that slavery and cotton were inseparable. The economies of large-scale production gave the great planters a marked advantage over the man who worked his own land. Furthermore, the men with larger incomes could buy more land and more slaves, and by increasing the size of their crops make up for any reduction in the price of cotton.

Without making apologies for the system, one may say that on average plantation the slaves were not harshly treated. Most of the owners were kindly, humane men who took their responsibilities seriously. Negroes had to be encouraged to work, because they were irresponsible, not lazy, but there were ways of doing this short of actual force. The following extract from the report of an overseer on a large plantation, his employer in 1827, shows the kind of treatment that was

killed twenty-eight head of beef for the people's Christmas dinner. I can do more with them in this way than if all the hides of the cattle were made into lashes." It was a rare Negro who could resist the appeal of a good barbecue. The owner of course had to furnish living quarters, clothing, and food for his slaves and to provide necessary medical attention. Each family had its cabin and most slaves received two outfits of clothing each year.

During the busy season the working day ran from sunrise to sunset, with two hours at noon for rest. In this respect the slaves were on a level with farm laborers everywhere, and the plantation owners believed that the lot of the average factory worker was worse than that of most slaves. Work out of doors and on the land was at least healthful.

The economic benefits of cotton culture were not confined to the South but were felt in every section of the United States. Because the planters did not raise enough food for their own communities, they became dependent on farmers elsewhere, chiefly in the Northwest. Livestock, especially cattle and hogs, could be driven overland to the plantations. Other provisions, such as pork, lard, beef, butter, corn, and flour, could be shipped down the Ohio and Mississippi Rivers. Cotton therefore contributed heavily to the growing wealth of the Northwest and so might be considered an indirect cause of the rapid settlement of the states north of the Ohio. This trade with the Northwest was one factor which led to the building of one of the first railroads in the United States, the Charleston and Hamburg in South Carolina. (See page 336.) This line was one link in a proposed through railroad from Charleston to the Ohio.

The Planter Class

The cotton land in the new Southwest was opened for cultivation by typical pioneers who cut off the timber, cleared the land, built their cabins, and began farming in primitive fashion on a small scale. Slave labor was not particularly helpful at this first stage, and not much of it was used. But in the second generation, with the land well cleared, the pioneers generally sold out to the first planters, men with money enough to buy several small farms and to operate them as a unit. The planter brought in slaves, and as he did so, many of the earlier settlers moved on to the next frontier. The old pioneer shacks gave way to the imposing homes of the planters, and to collections of cabins for the slaves. The average planter kept between seventy-five and one hundred slaves, although some had as many as a thousand. These planters dominated society and politics. They and their friends among the lawyers held the offices, managed the state legislatures, and served as Representatives, Senators, and sometimes members of the Cabinet at Washington.

But the planter class was never large. In 1845 the southern states had a total white population numbering perhaps six million; there were all told not more than eight thousand great plantation owners. Perhaps three hundred thousand more owned slaves, and so qualified for membership in the privileged, office-holding class. Here then was an aristocracy resting on

slave labor, and surrounded by several million non-slave-owning white farmers. From the point of view of the new America of the 1840's, there was one outstanding weakness in Southern society: it was undemocratic.

Furthermore, it was not entirely sound economically. Specialization in cotton made it seem wasteful to use land for other crops, particularly foodstuffs. These supplies, to be sure, could be obtained from the Northwest, but such an arrangement made the South a dependent section. It was dependent on the North not only for foodstuffs but also for many essential services: shipping, for the transportation of its staple crops; insurance, because the South itself lacked capital; banking facilities; and capital for building its own railroads. The combination of slavery and the plantation prevented the accumulation of surplus capital in the South. The landowners seemed continually in need of more land, and more land required more slaves. Additional land was needed to offset the falling price of cotton: almost thirty cents per pound in 1816, seventeen cents in 1820, nine cents in 1828. As the price of cotton went down, the price of slaves went up.

Economic
Weaknesses

By the 1850's the planters were caught in a tangle of economic problems from which escape seemed to be impossible. Costs of production were rising, and efforts to maintain their incomes by raising more cotton forced down the price. Worse yet, they were shipping the fertility of their soil off to New England and to Europe. In the early days the rich land in the Southwest needed little fertilizer; so little was used. Later, as the richness of the soil was depleted, the planters had neither the knowledge nor the money necessary for adequate care of their land. Low prices and high costs led inevitably to debts and mortgages. Some of the farsighted planters foresaw what was coming, and sold out at the peak of prosperity. Before many years had passed the buyer was almost certain to regret his purchase. By most indications the southern planters were well on the road to poverty, if not ruin. This unfortunate state of affairs was not so clearly understood by those who were a part of it as it is today. The planters knew that something was wrong, but they were ignorant of the causes of their trouble. Nevertheless everybody could see that wealth was not accumulating in the South as it did in the West and in the Northeast. The South seemed to be lagging behind the other sections. There seemed to be an element of unfairness in this, especially since the South produced the most valuable single crop of the whole country. Cotton might be king, but the king left his subjects in a bad way.

New
Problems

Because the planter class could not understand the weaknesses in their own system, they were inclined to hold outsiders responsible for their increasing troubles. In particular they considered the tariff on manufactured goods as their chief grievance, because it raised the cost of clothing for their slaves. Here they believed, was an unnecessary tax on production. Because they were frequently in debt they favored a liberal banking policy, one that would not be unduly burdensome to borrowers. Before the panic of 1837

the state of Louisiana borrowed \$22,950,000 to promote a "satisfactory" banking system—a larger sum than Pennsylvania borrowed for her great state canal system. Mississippi borrowed \$7,000,000 to go into banking. The South therefore tended to become unlike the North and West. And difference led first to misunderstanding and later to actual war—the War for Southern Independence.

THE NORTHWEST

Free Labor Farming

While the southern states were developing into the "cotton kingdom" with its white aristocracy and its system of slave labor, the Northwest was building the most prosperous agricultural region in the country. During the early part of this period, when the first pioneers were opening up the land, the casual observer would have seen little difference between Indiana and Alabama. The process of clearing the land of forest was the same in each section, the crude cabins of the settlers were pretty much alike, and the people themselves were not noticeably different. For the first few years the resemblance continued; then, after the crudeness of the frontier gave way to more civilized ways of living, differences began to appear. In the Northwest democracy and free labor became foundations of the political and social order. The farms remained relatively small: the quarter-section—160 acres—was looked upon as the desirable average.

Before 1810 the communities in Ohio and Indiana were rural; town life had not even begun to develop. According to the census of 1810, the largest western city, New Orleans, had a population of 24,562; the other towns were hardly more than villages, and there were only three of these. Pittsburgh with 4,768 ranked second to New Orleans; Lexington, Kentucky, had 4,326. Cincinnati, the only approach to a commercial center in Ohio, numbered 2,540. And these were all. There were of course other villages, with a few score or a few hundred inhabitants, but no urban development. At that time practically all the western farmers were able to raise most of their own necessities, and they had little to sell to the outside world. Here was a region with little trade, and the absence of trade always means the absence of towns.

After 1815 all this was changed. The spread of cotton culture over the Southwest made wide areas in that section dependent on the Northwest for provisions: flour, meal, salt pork, bacon, lard, salt beef, and fresh meat on the hoof. The trade in foodstuffs was as valuable to the Northwest as that in cotton was to the South, but for various reasons the Northwest followed a different line of development. In one section, as in the other, the first pioneers were succeeded by farmers with capital, who bought up the original holdings, but in the Northwest the newcomers did not bring in slave labor. Frame houses appeared in place of the cabins, fields were more carefully cultivated, orchards were developed. By 1830 the population of Pittsburgh had grown to more than twelve thousand, while that of Cincin-

nati had advanced to nearly twenty-five thousand. This growth of the towns was a measure of expanding trade.

As agricultural production advanced in the Northwest, it became plain that the farmers had no more respect for the soil and for the needs of their successors and descendants than had the cotton farmers of the South. Each farmer followed the easiest method, which meant a single crop, without the use of fertilizer and without any serious effort at rotation. One writer, describing conditions in Missouri in 1849, believed that not one farmer in a hundred ever took the trouble to haul a load of manure to his land.

By 1840, however, a distinct change was taking place in eastern farming, and in the course of the next decade some improvements were made in the West. Farmers were becoming aware of the necessity for crop rotation: they planted corn, oats, barley and clover or grass in successive years. They also began to use fertilizer, although not on any large scale. When cheap, rich land was abundant, it seemed poor economy to do any unnecessary work on the soil, because labor cost money.

However, if the West failed to keep pace with the East in scientific, or intensive farming, it was the scene of a genuine agricultural revolution, one brought about by the introduction of farm machinery. Down to 1830 farmers still used hand tools, as distinguished from machines, and these tools were not very different from the ones used in ancient Assyria—or in rural Mexico today. Grain was sown by hand, and until 1803 it was cut with a sickle. After that date the cradle came into use. The only device for threshing was the flail, or the use of horses or donkeys on a threshing floor. Grass was cut with a scythe, raked with a hand rake, and loaded and unloaded with a hand pitchfork. Corn was planted by hand and cultivated with the hoe. The only implements deserving the name of machine, and they were simple, were the plow, the harrow, and the cart. Between 1830 and 1860 American inventors and manufacturers made available a series of machines which greatly reduced the amount of hand labor needed in farming, and so cut down the costs.

New
Machinery

The first improvements were made in the plow. For centuries every plow had a wooden moldboard, that is, the surface which turns the furrow over. In 1814 Jethro Wood of New York secured a patent for a cast-iron plow made with interchangeable parts. At first the farmers refused to use this new device, on the theory that it injured the soil. But their fears were soon overcome and in the course of the next fifteen years the iron plow came into general use. After the Civil War, when steel became common and cheap, a steel moldboard took the place of iron. By 1840 farmers in the West were using horse-drawn cultivators. By this date seed drills and corn planters were also available.

These machines simplified the work of preparing the soil, planting, and caring for the growing crops, but they left untouched the important problem of the harvest. There was no great advantage in being able to plant a larger

acreage unless the human labor in gathering the crops could be reduced. Something more efficient than the sickle, cradle, and scythe was badly needed. In 1834 Cyrus Hall McCormick was granted a patent for a reaper. His device needed and received several improvements before it became really practicable; but by 1845 the McCormick reaper was used generally on the larger western farms. Although it merely cut the grain and did not bind it, it enabled one man to do the work of ten men using cradles. One operator with the McCormick reaper could cut an acre of grain in twenty-two minutes.

The horse rake, in use after 1830, was worth nine men with hand rakes. By the year 1855 the mowing machine for cutting grass was generally used on the western farms. These two devices helped the haymaker as the reaper helped the wheat farmer. One more great improvement came in 1836 with the invention of a practical threshing machine. In an actual comparative test made in 1855, the threshing machine accomplished more than twenty times as much as six men.

With these machines a farmer could increase his output and actually cut down his cost of production, because he saved so much on hand labor. And in this connection it should be noted that the increasing use of machinery on the farms did not result in unemployment; it merely made it easier for men to make money from the land, and so encouraged more people than ever to try their hands at farming. In 1864 in Iowa a man could buy eighty acres of farm land, put up a house, build the necessary fences, and pay for the whole thing after harvesting his first crop. And he would still have \$500 left over either to save or to use in buying more land.

Thus, while in the 1850's the Southern planter was finding the problem of making a living more and more difficult, the farmer in the Northwest stood out in sharp contrast. In the latter section men were fast getting out of debt instead of sinking in more deeply every year. The farmer who wished to sell could turn over a going concern to his buyer, and this newcomer found everything in his favor. Retired farmers had capital to invest in banks, internal improvements, or possibly manufacturing. Here then was the difference between prosperity and depression, apparently permanent in each case. Starting in 1800 on terms of equality, in the short period of fifty years the Northwest and the Southwest had become almost two different countries.

Between 1840 and 1860 the Northwest became more and more important as the source of food for the American people. As late as 1850 the middle Atlantic states still produced more than half of the nation's wheat. By 1860 western production more than doubled, and this section took the lead. The figures for the total production of wheat show a remarkable increase: 27,518,000 bushels in 1840; 43,842,000 bushels in 1850; and 95,004,000 bushels in 1860. During the same period the production of corn was almost quadrupled. Meat packing had always been a source of income to the American farmer, but in colonial days the business was in the hands of scattered in-

dividuals. After 1818 Cincinnati became noted for the increasing quantity of salt pork, smoked ham and bacon. After 1860 Chicago took Cincinnati's place as the packing center of the nation.

In theory the Northwest should have been most intimately connected with the Southwest, partly because many of the pioneers came from the South, partly because the South was such a valuable market for provisions. Then too the Mississippi River system provided unequalled transportation facilities, particularly after the introduction of the steamboat. Before the middle of the century the Northwest was closely tied to the South, economically and politically. Between 1850 and 1860 new railroads, running east and west, altered the situation. And by 1860 a new political party, the Republican, brought the Northeast and the Northwest together.

by such trails. More formal roads had been built earlier, but for shorter distances. Shortly after 1650 a road was completed from Boston to Providence, a distance of forty-five miles. From Providence a road was eventually built along the northern shore of Long Island Sound to New York. After the Revolution the Genesee road followed the Mohawk valley west from Albany. But as late as 1785 these roads were not good enough to encourage travel. Before the Revolution practically all overland travel was on foot or on horseback. Carriages and coaches were slow to come into use. The first horse-drawn coaches in America were seen in Boston shortly before 1690. In 1744 the first regular stage route was opened in Massachusetts. Twelve years later a stage line offered regular trips between New York and Philadelphia.

Shortly before 1790 a Scotchman, John L. McAdam, worked out a theory of road construction which has been followed from his own day to this. He discovered that a road built of small broken stones, laid about ten inches deep, would withstand both the wear of traffic and the action of frost. McAdam's discovery led to the building of stone-surfaced roads; they marked the first real improvement in overland transportation in America. After 1790 the American people undertook a comprehensive program of road building. Practically all these early roads were constructed, not by the government, but by private enterprise. Turnpike companies were formed to build toll roads. The toll charges made a fair profit from which dividends were paid to the stockholders. In 1790 the state of Pennsylvania chartered a company to build the Lancaster Pike, a stone-surfaced road running sixty-six miles from Philadelphia to Lancaster. This project was completed in 1794, at a cost of \$465,000. The Lancaster Pike was so profitable that investors took advantage of every opportunity to get into the turnpike business. By 1820 Pennsylvania alone had chartered eighty-six companies; they built nearly 2,200 miles of roads. New York had 135 turnpike companies, and New England 180, all busy before the War of 1812. Evidence of the prevailing prosperity of the country may be found in the investments in road building; they amounted to forty million dollars by 1812, a sum equal to the Continental debt in 1783.

The collection of toll charges on these roads was a legitimate part of private enterprise, but it made the costs of travel and transportation too high to suit farmers and businessmen. The average cost of hauling freight over the roads was ten dollars per ton for every hundred miles. Since one way of cutting these costs would be for the government to build the roads and then open them to the public free of charge, the demand developed for government road building, or, to use the language of that day, for the "construction of internal improvements at public expense."

Beginning in 1803, Congress began to plan for a wagon road to connect the Ohio River with tidewater Maryland. Two years later the national

government decided to build the road from Cumberland, Maryland, the head of river navigation on the Potomac, over the route followed by General Braddock in 1755 through southwestern Pennsylvania. Going south of Pittsburgh, the road would reach the Ohio River at Wheeling, Virginia. Such was the beginning of the Cumberland, or National Road. In 1806 President Jefferson appointed a board of commissioners, three in number, to decide



MAP. 17. ROADS AND CANALS ABOUT 1830. THE CUMBERLAND ROAD IS SHOWN BY THE HEAVY LINE, THE CANAL SYSTEMS BY THE BLACK AND WHITE LINE.

upon the exact route, and to get the consent of the three states through which the road would run.

In this connection it is interesting to note that in 1808 Secretary Gallatin submitted to the Senate a report on roads and canals, in which he argued at some length that the necessary internal improvements could not be profitably built with private capital, largely because of the heavy expense involved. So, as Gallatin observed: "The general government can alone remove these obstacles." He justified this seeming departure from Jefferson's doctrine of strict construction by arguing:

Good roads and canals will shorten distances, facilitate commercial and personal intercourse, and unite by a still more intimate community of interests, the most remote quarters of the United States. No other single operation within the

power of government, can more effectually tend to strengthen and perpetuate that union, which secures external independence, domestic peace, and internal liberty.

Gallatin's plan was comprehensive enough to take in the whole country. He proposed a series of canals to shorten the distance of transportation by water between various points along the Atlantic coast; that is, one across Cape Cod in Massachusetts, one to connect the Raritan and Delaware Rivers in New Jersey, another from the Delaware to Chesapeake Bay, and still another from Chesapeake Bay to Albemarle Sound. Next he suggested a national turnpike to run along the coast from eastern Massachusetts to Georgia. The rest of his program called for roads to connect the headwaters of some of the rivers which flowed into the Atlantic with others which joined the Mississippi.

In 1811 the national government made the first contracts for constructing the National Road. According to Congressional specifications it was to be sixty-six feet wide, with a surface of stone covered with gravel. Culverts and bridges were to be of stone. Grades were to be evened, after the manner of good road construction today. The average cost was \$13,000 per mile. The original section from Cumberland to Wheeling was open for traffic in 1818. Mail from Washington could reach Wheeling in thirty hours. There was so much traffic that the eastern portions were nearly worn out before the western part was completed. Six years later plans were made to extend the road through to Columbus and Indianapolis and then to Vandalia.

Cumberland
Road

For a brief period after the close of the War of 1812 nationalists in Congress advocated the extensive use of federal money for building additional national roads. John C. Calhoun was made chairman of a Congressional committee to look into the matter of establishing a permanent fund for this purpose. In December, 1816, he reported a bill, providing that the sum of \$1,500,000, the amount paid by the Second Bank of the United States for its charter, should be used for the construction of roads and canals. The bill also provided that dividends received by the United States on its Bank stock should be used for the same purpose. In arguing for the enactment of the measure, Calhoun pointed out that the great geographical extent of the United States was a threat to national unity. Good roads would tend to obviate this danger. Calhoun's bonus bill passed Congress, but President Madison killed it with a veto. He believed that an amendment to the Constitution was needed before Congress could undertake such work. In view of the readiness with which the Democratic party had utilized implied powers, Madison's reversion to strict construction was hard to explain. Calhoun pointed out the inconsistency: "If we are restricted in the use of our money to the enumerated powers, on what principle can the purchase of Louisiana be justified?" Calhoun's argument was unanswerable, but Madison's veto

Calhoun's
Bonus Bill

served as an important precedent for subsequent federal action. The Cumberland Road was the only enterprise of its kind undertaken by the national government.

The advantages of the Cumberland Road encouraged local communities to improve their own roads, so that after 1825 travel by land became much more general. Turnpike companies, "plank road" companies, and the town and county governments combined to make stagecoach travel and freight-wagon traffic fairly rapid. One European visitor some time after 1830 described the roads in the East "as good, and much better, than could be expected." His chief reason for complaint was that most of them were "not levelled, but follow the undulations of the country, so that you have a variety of short, steep ascents and descents which are very trying to the carriage-springs and very fatiguing to the traveller."

The stagecoaches on these early American roads were not as comfortable as those to be found in England. Captain Marryat wrote of them: "The most disagreeable feeling arises from the body of the coach not being upon springs, but hung upon leather braces running under it and supporting it on each side; and when the roads are bad . . . the motion is very similar to that of being tossed in a blanket, often throwing you up to the top of the coach, so as to flatten your hat—if not your head." This particular Englishman found the Americans "a restless, locomotive people: whether for business or pleasure, they are ever on the move in their own country, and they move in masses." And this was written before 1840! Every public conveyance contained a curious mixture of people: "The millionaire, the well-educated woman of the highest rank, the senator, the member of Congress, the farmer, the emigrant, the swindler, and the pick-pocket, are all liable to meet together in the same vehicle."

For the transportation of freight on the turnpikes, the Americans developed and used the Conestoga wagon, better known under its later and more famous name, the covered wagon. The wheels were built with broad rims and tires, to prevent them from sinking into the mud. The body was high, and the bottom was often watertight, like a boat. As streams were numerous, and bridges had not entirely replaced ferries, the wagon's body might have to float over deep water. The average load pulled by four or six horses or oxen was from four to six tons of freight.

In those days of slow overland travel, inns were important. They were perhaps more widely scattered and more numerous in relation to the population than at the present time. Captain Marryat was greatly pleased with the innkeepers. He found them men of high character, and surprisingly honest. "I never in one instance found that I had been imposed upon," he wrote. He admitted that there were untrustworthy hotel proprietors in America, but he believed that they were confined to the cities. For the hotels themselves, he could not say so much. "There are no neat, quiet little inns

Travel in
America

American
Inns

as in England. It is all the 'rough-and-tumble' system, and when you stop at humble inns you must expect to eat peas with a two-pronged fork, and to sit down to meals with people whose exterior is anything but agreeable, to attend upon yourself, and to sleep in a room in which there are three or four other beds (I have slept in one with nearly twenty), most of them carrying double, even if you do not have a companion of your own." Evidently this was carrying the doctrine of American equality and democracy too far for the Englishman.

Thanks to the road, the stagecoach, the Conestoga wagon, and the inns, travelers and businessmen from different sections of the country were brought together in a fashion that had been rarely possible before the Revolution. Bonds of union in a real sense, these several factors proved to be important elements in making the Americans a united people.

Though the building of the Cumberland Road and the general improvement of the highways were matters of great importance, they were overshadowed by even more significant developments in the facilities for transportation by water. The United States has the advantage of a great system of navigable inland waterways. In the north the chain of Great Lakes is navigable for practically its whole extent, and even the most serious natural obstacle, Niagara Falls, has been circumvented by the Welland Canal. The rivers along the Atlantic coast are navigable for longer or shorter distances—longer in the South than elsewhere. The Mississippi with its tributaries is navigable for thousands of miles.

River Transportation

Along the Ohio and the Mississippi the pioneers moved themselves and their worldly goods in crude, square, flat-bottomed barges which they floated downstream. Rafts and flatboats also carried local farm products down the river. For northbound traffic the traders used long, narrow keelboats, propelled by poles or oars. But upstream transportation was expensive; so many men were needed to work the oars that cargo space was limited. What was needed was a craft drawing as little water as a raft, long and broad enough to provide ample room for freight, and capable of being moved against the current as well as with it. The Mississippi River steamboat solved this problem.

USE OF MECHANICAL POWER

Before the end of the eighteenth century various experiments with steamboats had been made in this country and in Europe, and the first successful boats were the product of several different inventors. In 1786 and in 1787 John Fitch built two steamboats, neither of which proved usable. Also in 1787 James Rumsey launched a steamer at Shepherdstown, then Virginia, which made a speed of four miles per hour. In the following year Rumsey patented the water-tube boiler, the device which makes high steam pressure possible. His new type of boiler greatly increased the efficiency of the steam

Steamboats

engine and by so doing took the steamboat out of the experimental class. In 1790 Fitch launched his third boat, which occasionally made eight miles per hour, and he ran it for one thousand miles on regular trips between Philadelphia and Trenton. His boat never became commercially profitable because it could not carry a heavy load, and Fitch died a disappointed man. His own comment tells a vivid story: "I know of nothing so perplexing and vexatious to a man of feelings as a turbulent Wife and Steamboat building. I experienced the former, and quit in season, and had I been in my right senses, I should undoubtedly have treated the latter in the same manner." Prior to the launching of Robert Fulton's *Clermont*, at least sixteen steamboats had been built in the United States, and fifteen of these were regularly operated. Fulton talked with Rumsey and he made use of Fitch's drawings. By the time he was ready to build there was a considerable body of accumulated experience, and Fulton took advantage of it.

The
"Clermont"

In 1807 his boat, the *Clermont*, made the trip from New York City to Albany and back in sixty-two hours. "The morning I left New York," Fulton wrote, "there were not perhaps thirty persons in the city who believed that the boat would move one mile an hour or be of the least utility; and, while we were putting off from the wharf, which was crowded with spectators, I heard a number of sarcastic remarks." The crowd christened the new craft "Fulton's Folly." But Fulton could afford to let them joke, because his voyage opened a new era in transportation by water. Once men should learn to utilize steam power to the best advantage, they would be practically independent of tide, current, wind, and weather. In 1811 a steamer was launched on the Ohio, at Pittsburgh. In 1815 a river steamer made the difficult voyage upstream from New Orleans to Pittsburgh. By 1820 sixty steamboats were in service on these western rivers; this number increased to nearly three hundred by 1837 and to more than one thousand by 1860.

Steamboating
in the West

The Mississippi steamboat was a practical craft, built for service, not beauty. She was flat-bottomed, with no keel, and drew surprisingly little water. She was propelled by a paddle wheel at the stern. This wheel was as broad as the stern itself, and so constructed that the loss of part of a blade or even a whole blade could not prevent her from making port. These boats became famous. They inaugurated a new kind of life both on and alongside the river. Mark Twain's *Life on the Mississippi* is an excellent description of customs and persons of the steamboat period. The pilots were almost lords of creation, and they rated themselves and each other by the speed which their boats could make. Races between rival boats were common, and the ordinary thrills of a race were increased by the ever-present possibility of danger—sandbars, snags, or, if the engineer crowded on too much steam, a boiler explosion. But the pilots were not the only picturesque people on board. There were travelers of all kinds, among them profes-

sional gamblers and other sharpers who used their wits to save themselves the trouble of working for a living.

Charles Dickens, the English novelist, found his two journeys on a Mississippi River steamboat anything but pleasant, especially the voyage downstream: "The boat, proceeding at the rate of twelve or fifteen miles an hour, has to force its passage through a labyrinth of floating logs, which, in the dark, it is often impossible to see beforehand or avoid. All that night, the bell was never silent for five minutes at a time; and after every ring the vessel reeled again, sometimes beneath a single blow, sometimes beneath a dozen dealt in quick succession. . . . Looking down upon the filthy river after dark, it seemed to be alive with monsters, as these black masses rolled upon the surface." However uncomfortable the boat trip may have been for over-particular passengers like Dickens, the river traffic was increasingly profitable. In 1807 the produce shipped down the river to New Orleans was valued at \$5,000,000. By 1840, about the time Dickens inspected the river, the shipments received at New Orleans had gone up in value to \$50,000,000, and twenty years later to the figure of \$185,000,000.

It is worth noting that the steamboat had its first era of prosperity on the inland waterways. As late as 1840 the United States had no steamboats registered for ocean traffic, and in 1850 our total oceangoing steamboat tonnage stood at 44,942, as compared with a figure of 1,585,711 for sailing vessels. It was not until 1890 that steamships really superseded sailing ships on the high seas.

Possibly because of the threat of steam competition, builders of ocean-going craft designed new types of sailing vessels, freight carriers built for speed. These were the clipper ships, the first of which appeared in the early 1840's. They were built with a narrow, concave prow, and carried more sail than ordinary ships. One of the earliest clippers, the *Rainbow*, made the long voyage to China and back in less time than it took the average vessel to cover half the route. But the pride of the American clipper fleet was the *Flying Cloud*, designed and built by Donald McKay at Boston. In 1851 she sailed from Boston around Cape Horn to San Francisco in seventy-nine days, beating all previous records by a full ten days. On this trip her best run was 374 miles in twenty-four hours; on three consecutive days she covered 992 miles. This was faster time than freight steamers make now. But even the *Flying Cloud* was at the mercy of the winds. Her poorest day on the record-making run was only forty miles. Far and away the speediest sailing vessels ever built—except specially designed racing yachts—the clippers were also the most beautiful. In the days of wooden ships these fast freight carriers represented the final triumph of the naval architects.

American
Clipper Ships

Where there were no rivers, the steamboat obviously was of no value. But American initiative and enterprise constructed canals, bringing to places remote from ocean, lakes, and rivers the advantages of inexpensive transportation by water. Between 1820 and 1837 various states in the Union con-

Erie Canal

structed thousands of miles of canals. The most famous and the most profitable of these man-made rivers was the Erie Canal, connecting the Hudson River with Lake Erie. Started in 1817 under Governor De Witt Clinton, the project was completed in 1825. The Erie Canal was independent of winds, rough water, or other obstacles—except ice—to regular navigation. Natural lakes and artificial reservoirs along the route were used to maintain the proper water level. Three hundred and sixty-three miles in length, it was the greatest engineering enterprise undertaken up to that time in the United States. The original cost of the Erie Canal was \$8,400,000. Down to 1882, when all toll charges were abolished, the total cost of building, widening, and maintaining the canal amounted to \$78,862,153; during that period, the total receipts from tolls were \$121,461,871. The state of New York consequently cleared a substantial profit from its investment.

But the state was not the only gainer. When the canal was first opened, the cost of shipping one ton of heavy freight from Buffalo to New York City dropped from one hundred dollars to less than eight dollars, and later even this rate was lowered. Buffalo became an important center, handling lumber and grain going east, and manufactured goods going west. By 1827 the governor of Georgia reported that wheat from western New York sold for a lower price in Savannah than Georgia wheat, because of the low cost of transportation by water.

When the Erie Canal was completed, the state of New York built a number of branches, so that the central section of the state was served by a network of canals. By 1836 this collateral system had a total mileage of 656. Canals connected the Erie Canal with Seneca Lake and Lake Cayuga, Syracuse with Oswego, and the Hudson River with Lake Champlain, thus bringing several parts of the state into direct water communication with the Erie.

Canal
Building

One of the striking results of this new canal system was the rapid increase in the volume of traffic through New York City, and the partial decline of business at Philadelphia. Before the completion of the Erie Canal the people of Pennsylvania and Maryland had profited from their virtually complete control of business with the West, by way of the Cumberland Road. The Pennsylvanians, determined not to lose their commerce, began work in 1826 on a project even more ambitious than the Erie Canal: a canal and railroad over the mountains from Philadelphia to Pittsburgh, a total distance of nearly four hundred miles. The highest point on the proposed route was over twenty-three hundred feet above sea level. In spite of the difficulties, the work was finished in eight years. While the greater part of the distance was covered by canal, there was a thirty-seven mile stretch over the mountains where canal building was impossible. For this section a series of inclined planes was constructed. Canal boats were run on movable platforms and hauled over the mountains. On the other side they resumed

their journey by water. Pennsylvania also built an elaborate network of canals, most of which proved unprofitable.

Other states caught the fever. In 1833 Ohio opened a canal running from Cleveland on Lake Erie to Portsmouth on the Ohio, over three hundred miles in length. More canals were planned, and partly built, in Ohio, Indiana, and Illinois. Then interested parties in Washington, D. C., Maryland, and Virginia subscribed nearly four million dollars for the Chesapeake and Ohio Canal, to connect Washington with Cumberland, and eventually with the Ohio River. This work was never completed. New England, it should be added, did not escape a period of canal building.

When the canals were first planned, they seemed to be the long-desired solution of the problem of inland transportation. Water-borne traffic was cheap, safe, and easy to handle. Lacking the ability to see into the future, the state officials who built canals and the people who clamored for them could not know that even while many of them were being constructed, a new invention would make most of them obsolete long before they could ever repay their costs. The first practical experiments with railroads were being made in the very midst of the era of canal building, and the railroads were destined to ruin the business of most of the canals. Indeed, by 1860 most of them had dropped out of the picture. The Pennsylvania Canal and Portage Railroad continued to function until the 1890's, and so too did the Erie Canal. In the present century New York State has constructed a successor to the Erie, the Barge Canal, which handles a substantial volume of freight business every year; but it is the only canal of any length still in operation in the United States.

THE STEAM ENGINE ON RAILS

The idea of running cars on tracks, in order to overcome the drag of a dirt road on wheels, had been tried out in English coal mines as early as 1723, but on these earliest railroads there was no thought of using mechanical power. Horses and donkeys were good enough. More than one hundred years after that time Governor Troup of Georgia was still insisting on the superiority of draft animals over machines. When someone tried to convince him of the greater utility of steam locomotives he is said to have replied, "Good God, I cannot stand that; I will go to the extent of horse power."

When the states of Pennsylvania and Virginia began work on their canals, to compete with New York and her Erie, Baltimore faced the unpleasant possibility of losing much of her trade to her rivals. Businessmen of Baltimore determined to outdo her neighbors. They laid plans for a railroad to connect Baltimore with the Ohio River; the line would be 250 miles long, and it would have to cross a range of mountains 3,000 feet high. In 1827 Maryland and Pennsylvania granted the necessary charters for the road, and the work was formally started on July 4, 1828. This event was duly cele-

brated with the "most splendid civic procession, perhaps, ever exhibited in America."

Although the Baltimore and Ohio was the first railroad of any great length planned for this country, it was not the first to begin operations. The merchants of Charleston, South Carolina, began to suffer lasting hard times as newer cotton lands in the Southwest entered into competition with the older cotton-producing states. Businessmen of Charleston hoped to recover some of their lost trade by diverting cotton from Savannah, Georgia, to their own port. For this purpose they planned a railroad to connect Charleston with Hamburg, on the Savannah River just across from Augusta, Georgia. Senator Hayne hoped to have the road extended at least to the Ohio country. The Charleston and Hamburg, the first steam railroad in the United States, 136 miles in length, was completed in 1833, but it ran a steam locomotive on a short section in 1830. This South Carolina railroad did not, however, bring the desired commercial results. The state of Georgia refused to permit the South Carolina company to cross the Savannah River, and the Georgians began to build railroads of their own in order to maintain their grip on their own commerce.

Travel by
Rail

When part of the Baltimore and Ohio Railroad was opened for traffic in 1830, horses and sails furnished the power. But the steam locomotive, already being used experimentally, was adopted before the end of that year. As early as 1804 Oliver Evans had driven a steam-propelled vehicle through the streets of Philadelphia, and in 1820 John Stevens built a railway in Hoboken on which he ran a locomotive. In 1829 George Stephenson, an Englishman, built a locomotive which pulled a train at the speed of fifteen miles an hour, but it could not take a curve. These early locomotives were not powerful and they could not run in rainy weather; when the track was wet horses took the place of locomotives.

The first railroad trains were crude, uncomfortable, and dangerous. The coaches were exactly what the name implied, ordinary stagecoaches except that they had flanged wheels to keep them on the rails. The locomotives burned wood, showering the half-open coaches with sparks; the passengers had to help one another put out fires in their clothing. The coaches being fastened together with chains, the trains started and stopped with uncomfortable bumps. Fatal accidents were almost a matter of course. All this was bad for the travelers. And as for the farmers along the route, they complained that the noise of the engines frightened the livestock so that the cows would not give milk and the hens would not lay eggs. Many of the complaints, though true, were of no permanent importance. In time railroad trains became safer than horse-drawn wagons, and cows and hens were no longer distressed by the noise. The railroad and the steam locomotive were as remarkable as the steamboat, and capable of as extraordinary development. For the future, transportation by land would be subject to few limitations of climate or topography; here was a device of transportation ideally

sited to regions far removed from ocean, lakes, and rivers. No section of the United States which had any kind of resources—agricultural, forest, or mineral—need be isolated; people could settle anywhere with reasonable hope that transportation facilities would be built to them.

In the North plans were made for a railroad running west from Albany, in direct competition with the Erie Canal. But no railroad could operate without a state charter, and the canal was owned by the state of New York. In its early days, therefore, the New York Central Railroad was not permitted to carry any freight whatever; beginning in 1844 it could carry freight only in the winter, when the canal was frozen. After 1851 this restriction was removed. Another early railroad was the Boston and Albany, designed to connect Boston with the Erie Canal. By 1840 the United States had 2,818 miles of railroad in operation. In 1920, when railroad building practically came to an end in this country, the mileage had increased to 260,000.

Railroad
Development

The first railroad connection between eastern tidewater and the western lakes was furnished by the New York Central—or rather by the original short links which were eventually tied together to form the Central. In 1850 Boston established rail connection with Ogdensburg, on the St. Lawrence. In 1851 the New York and Erie was opened; planned and built as a unit, it connected Lake Erie with the lower Hudson, opposite New York City. In 1854 the Pennsylvania Railroad completed its line from Philadelphia to Pittsburgh. The Baltimore and Ohio, the earliest of the long lines to be started, did not reach the Ohio until 1853.

When railroad construction was first started, most people looked upon the projects not as main lines of transportation, but as feeders and connecting links for rivers and canals. There were few who could foresee that waterways would ever be superseded. But in the course of thirty years it became evident that the railroads were far more effective than canal boats or steamboats. They provided service the year round, while in northern states the canals, rivers, and lakes froze and were closed to traffic in winter. Furthermore, railroads were less expensive. It is true that transportation by railroad cost more than transportation by water, but the difference was more than offset by the savings due to greater speed. Shortly before 1840 it cost one passenger more than seventy-five dollars to go from Chicago to New York City; by 1850 the fare by lake and rail was only seventeen dollars. And the freight charge on a barrel of flour over the same route was eighty cents.

It is difficult to see how the United States could have developed as it has without the railroads. Some of our best farm areas in the West could never have become prosperous without low cost transportation. And the rise of thriving communities in the West meant more business for eastern manufacturers and merchants. Then too, the effect of railroad building upon the relations of the different sections was most important. The eastern rail-

Nationalizing
Influence

road lines were planned and built to link the Atlantic seaboard with the western lakes and rivers. By overcoming the Appalachian barrier they completed the process, already started, of consolidating the North and West into a single section.

Every improvement in coach roads, turnpikes, river traffic, and railroads saved time in transportation. The Post Office Department was quick to take advantage of the new facilities to speed up the mail service. During the early history of the Post Office, rates were high because transportation was expensive. The basic charge was six cents for a single sheet to be carried not over thirty miles. If the distance was over four hundred miles, the cost was twenty-five cents. In 1845 the basic charge was placed at five cents for a letter weighing not more than one-half ounce, for three hundred miles; for more than three hundred miles the charge was ten cents. After 1850 letters were carried for a flat rate, regardless of distance.

Envelopes were not used during the early part of the nineteenth century because they would have been an unnecessary addition to the weight of a letter. The writer left a blank space on his letter sheet for the address, folded the paper to bring it in the proper place, sealed the folded sheet with wax, and put it in the mail. The recipient paid the postage. In 1847 postage stamps came into use. Soon envelopes were common. With the advent of stamps and lower rates, the sender paid the charge.

While the railroad was still in its early stages of development, an ingenious inventor discovered a device for transmitting messages instantaneously over long distances—the telegraph. The inventor, Samuel F. B. Morse, was a portrait painter who played with electricity as a hobby. He began his experiments in 1832. By 1838 he had his telegraph in working order, but he could get no financial backing to make it commercially available. In 1843 Congress gave him thirty thousand dollars, to be used for opening a line from Washington to Baltimore. It was completed in 1844, and a new era in communication began. By 1862 a transcontinental line was completed to San Francisco. The Western Union Telegraph Company was formed by consolidating a number of small, formerly independent concerns into a nationwide system.

The telegraph was used by the railway systems of the country as a means of enabling train dispatchers to direct the movement of rail traffic. Newspapers were quick to realize the opportunities afforded by the telegraph to inform the public promptly of important events all over the country. When the device was new, the New York newspapers had columns headed: "Special, by Electric Telegraph." Businessmen, particularly brokers, found the telegraph indispensable in keeping themselves and their customers in touch with important changes in the market. In this particular field, however, some people complained that the telegraph was more of a nuisance than a help, because bad news could be carried as rapidly as good. When the panic of 1857 started, reports of bankruptcies were spread over the land,

Carrying the
Mail

The
Telegraph

carrying fear into every business section. Fortunately this shortsighted complaint did not retard the progress of telegraphic communication.

It is obvious now that if messages could be transmitted over great distances by land, they might also be sent over similar distances under water, provided that proper lines could be laid. In 1864 Cyrus W. Field became interested in the project of an Atlantic cable connecting the United States with England by way of Newfoundland. In 1858 Field's company laid the cable, and messages were sent across the Atlantic. But the apparatus soon ceased to work because the wires were not properly insulated. In 1866 Field had a new cable laid, and this has been in successful operation ever since.

Atlantic Cable

The period between the War of 1812 and the American Civil War was one of remarkable progress in the application of science to the problems of transportation and communication, and also to manufacturing. Rapid transit and instantaneous communication were bound to bring still greater speed into American life. Even before the coming of these improvements, the American businessman was always in a hurry; with their coming it seemed that for the future he would never rest. Here was the beginning of another revolution, in some respects more important even than the Revolutionary War. The revolution that separated us from Great Britain gave us political independence; the revolution resulting from steam and electricity made us almost independent of time and space. By 1850 people in civilized countries everywhere were traveling and exchanging messages with a rapidity previously dreamed of only by the wildest romancers.

**Applied
Science**

It is at this point, and at this point only, that modern civilization revealed any striking departure from that of the ancient Babylonians, Egyptians, Greeks, and Romans. The ancients had relatively few machines and they never mastered the secrets of mechanical power. The people of the mid nineteenth century, having the steam engine to run machinery, move boats, and draw trains, and having electricity to send messages instantly to the other side of the world, made vast contributions to the sum of human knowledge and profound changes in the modes of human life. Once started, this process of applying science to industry, transportation, and communication has gone on at a rapidly increasing rate.

Industrial Development

RISE OF THE FACTORY SYSTEM

SO FAR in this account of the economic development of the United States little has been said about the older sections of the country, the middle Atlantic states and New England. But they were not standing still; on the contrary they were undergoing a revolution as far-reaching as that of the South or the West: a revolution in industry. Through its manufacturing the Northeast derived a substantial share, indirectly, from the profits of southern planters and western farmers, because eastern manufacturers supplied the whole country with textiles, shoes, clocks and watches, and iron ware. For this reason the East had as much reason as the West to be interested in internal improvements: every new road, canal, steamboat, and railroad widened the market for eastern products.

Beginnings of
American
Industry

During the colonial period, and for several years after the Revolution, the American people imported most of their manufactured goods. Shortly after 1800 the value of these imports amounted to \$35,000,000. Nevertheless there was a considerable amount of small-scale manufacturing in the homes, particularly of linen and woolen goods, some made for use by the family itself, some for barter or sale. After the Revolution merchants encouraged this domestic industry by sending raw materials around to the farmers' wives, and then collecting and selling the finished product. Under this arrangement not only textiles, but boots and shoes were made at home. But there was no manufacturing on a large scale, partly because of the scarcity and consequent high cost of labor, partly because there was more profit to be made from the sale of products of the sea, forests, and farms. This was particularly true from 1793 to 1807, when American merchants and shippers were making money by supplying the fighting European nations with essential raw materials and food.

Influence of
the Embargo
and the War

In 1807 President Jefferson tried to compel the belligerent powers to respect American rights by means of the Embargo Act. But in cutting off our export trade the government deprived its citizens of the most important means of paying for foreign imports. Then from 1812 to 1815 the United States itself was at war, and foreign trade stopped almost entirely. As a result Americans had to make their own goods or go without. Thus the Embargo and the war gave an important impetus to American manufacturing. As a matter of fact, the first signs of a new era in American industry had appeared in 1790. In England leaders in the textile business had

been successfully experimenting with new machines for spinning cotton yarn. These machines were so successful that the inventors and owners tried to prevent their sale outside England. One young Englishman, Samuel Slater, came over to this country, not with the machines themselves or even with designs, but with a knowledge of how they were made. He tried to interest American investors in the idea of a cotton mill equipped with English machines. In 1790 he received the necessary financial backing and started a cotton mill, the first factory in America, at Pawtucket, Rhode Island. During the next ten years seven more mills were started; by 1808 there were fifteen cotton mills, all located in New England. These small plants ran about eight thousand spindles. But as soon as trade with Europe stopped, there was a remarkable increase in American industrial activity. By 1815 there were 500,000 spindles in operation.

In New England conditions were unusually favorable for the establishment of factories. The interruption of trade with Europe left the merchants no means of investing their money, and they were glad to put it into factories. When trade fell off the farmers could not sell their surplus, and farmers' sons and daughters were eager for work in the mills. These people were accustomed to work, and some of them had real mechanical ingenuity. So too had some of the factory owners. As early as 1798 Eli Whitney, the inventor of the cotton gin, was running a gun shop at New Haven, Connecticut. He applied the principle of interchangeable parts to the manufacture of guns, thereby helping to bring into use one of the most important principles in American manufacturing. Another important New England resource was abundant water power, provided by the numerous rivers and streams. This was one of the most important factors in the industrial development of that section. These various advantages enabled Americans to develop the factory system. The first American textile factories were only spinning mills, and the yarn was sent around to weavers who made the cloth at home. Although the power loom was invented in the eighteenth century, it was not made practicable until 1814. In that year Francis C. Lowell combined the two processes of spinning and weaving in his mill at Waltham, Massachusetts. The next steps of dyeing and printing were soon added, and the modern factory was ready for work.

As long as they had no competition, these "infant industries" flourished; but when the War of 1812 came to an end, British manufacturers planned to drive them out of existence and to recapture their lost markets. They sent large quantities of goods to this country and prepared to sell them at any price, no matter how low. "It is worth while," one of their representatives said in Parliament, "to incur a loss upon the first exportation in order, by a glut, to stifle in the cradle those rising manufactures in the United States which the war had forced into existence contrary to the natural course of things." In 1813 the United States imported goods to the value only of \$13,000,000; by 1816 imports jumped to \$147,000,000. The

Protective
Tariff

Americans, feeling that they could not face such competition unaided, appealed to Congress. The result was the Tariff Act of 1816, which established the protective principle for American industry. The bill divided imports into three groups. For those commodities which could be produced at home in sufficient quantity to fill the demand, there were duties high enough to exclude foreign-made goods; the second group, on which moderate duties were placed, included articles which could be made here, but not in sufficient quantity to take care of normal needs; the third group, carrying a tariff for revenue only, included all other imports. In order to provide adequate protection against low-cost East Indian yarn and cloth, the bill introduced the principle of minimum valuation. All cotton cloth which originally cost less than twenty-five cents per square yard was rated at twenty-five cents for tariff purposes. Similar minimum rates were provided for cheap cotton yarn. So the Democratic party, which had once fought Hamilton's plans for protection, now publicly admitted the soundness of his philosophy.

The bill was introduced into the House by William Lowndes of South Carolina; John C. Calhoun and Henry Clay took a leading part in securing its enactment. In the final vote the representatives of the middle states and the West voted heavily in favor, those from the South divided, with twenty-three in favor and thirty-four opposed, while the New Englanders approved it by the vote of seventeen to ten. These ten New England votes came from the shipping interests, which were opposed to protection. Daniel Webster, the great states' rights champion in 1814, voted against the Tariff of 1816.

In the same session of 1816, Congress passed another act which the businessmen wanted but which the Democrats had hitherto vigorously opposed—a law creating the second Bank of the United States. Even Henry Clay, who had opposed the bill to recharter the first Bank in 1811, was now a leading advocate of the new one. The second Bank had a capital of \$35,000,000—Hamilton's much criticized first Bank had been capitalized at only \$10,000,000—one-fifth of which was owned by the federal government. The President of the United States appointed five of the twenty-five directors. With headquarters in Philadelphia and branches in every section of the country, the new institution could serve both the people and the national treasury. By this time, with the Democrats converted to so much of the old Hamiltonian program, party lines became almost invisible. The American people really were all Republicans and all Federalists, as Jefferson had suggested in his first inaugural address. With a few notable exceptions members of both parties were ready to agree that the national government might use its powers to benefit the American people. John Randolph of Roanoke, one of the few Jeffersonians who had not changed his views, opposed the Bank bill; so too did Daniel Webster.

After 1816 the factory system developed in various industries: boots and shoes, clocks and watches, and the making of machines of different types.

In 1846 Elias Howe secured a patent for a sewing machine, a device which transferred still more work from the home to the factory. The sewing machine was responsible for the development of the ready-made clothing business on a large scale, and it helped to put the making of shoes and harness on a factory basis.

**Machines and
Factories**

Of all American large-scale industries, cotton manufacturing developed most rapidly, and the value of the factory system with its improved machinery was quickly reflected in the falling price of cloth. In 1815 plain cotton sheeting cost forty cents a yard, but in 1829 the price had dropped to four and one-half cents. Thirty years later saw the price down to two cents. During the period from 1830 to 1860 the productive capacity of the cotton mills, as measured by the number of spindles, increased more than four-fold. The amount of raw cotton used increased more than fivefold, and the value of finished cotton goods went up from \$26,000,000 in 1830 to \$115,681,774 in 1860. As early as 1830 products of the woolen, cotton and iron works in the United States exceeded the value of southern farm products by 50 per cent.

The development of the iron industry did not show as large a value for its finished product as cotton, but it furnished essential material for the rapidly increasing machine shops and railroads. Beginning in 1840 the iron works used anthracite coal for smelting, and with this improved fuel they greatly increased their production. In 1845 American rolling mills began to make iron rails for the railroads; when the Civil War came there were over thirty mills for making rails. Pennsylvania became the center of the iron industry, just as Massachusetts had the lead in cotton. In addition to rails, American ironworkers were making castings for a variety of uses: hardware for buildings, parts for steam engines, and stoves for cooking and household heating. American ingenuity led to the invention of a number of automatic machines for making nails, tacks, pins, hairpins, bolts, rivets, and chains. Machines also turned out standardized parts for making brass clocks, an industry that is still active in the Connecticut region around New Haven, Waterbury, and Thomaston.

Metal Works

American industry has always been noted for its ingenuity in designing labor-saving devices. Two Englishmen, in writing a report to their government on American industry in 1854, commented at length upon these new devices. They were particularly impressed with American spinning machinery which made it possible for one operative to do the work of 3,000 expert hand spinners. In England there had been strong, persistent opposition to the introduction of labor-saving devices, but America welcomed every mechanical improvement. The Englishmen were surprised to find that even "the workmen hail with satisfaction all mechanical improvements, the importance and value of which, as releasing them from the drudgery of unskilled labor, they are enabled by education to understand and appreciate."

Domestic
Trade

The development of American manufacturing had important effects upon American commerce. Southern planters sold their cotton, tobacco, and sugar to American merchants in the eastern states or to Europe. In return they bought food supplies from the West and manufactured goods from the East. The West sold its food products to the South, and bought eastern manufactured goods. The East bought cotton, tobacco, and sugar from the South, and eventually, food supplies from the West. As time went on the shipments of western foodstuffs were divided, some going South, but an increasing quantity came East, to supply the steadily increasing population in the industrial sections. In 1850 for the first time the eastbound traffic over the Erie and the Pennsylvania Canals surpassed the westbound traffic in manufactured goods.

The export trade in southern staple crops and the intersectional trade explain the ever-growing prosperity of the United States. Population was increasing at such a rate, and the standard of living in the new West was rising so rapidly that there was always a demand for more goods. As long as the export trade continued, and as long as there was any more West to settle, there seemed to be no limit to the possibilities of trade, or to the productive enterprises which trade made possible. Both the industrial system itself and the economic doctrines of the people were built on the theory of an ever-constant increase in demand and in productive capacity.

INDUSTRIAL WORKERS

Women and
Children

The rise of the American factory system resulted in a large increase in the number of wage-earners, and in new social conditions. Mill towns like Lowell, Fall River, or Pawtucket bore little resemblance to seaports like Salem, or Philadelphia. There had been manufacturing in the ports, but the work was done in small shops or at home, not in large factories with power-driven machinery. In colonial industries the employees were nearly all men, because hard muscular labor was needed. These artisans had almost as much freedom of movement as farm laborers. And the economic fortunes of the handworkers were not dependent on a single proprietor or on a small group of proprietors in a given town. In the factories everything was different. As few of the jobs called for physical strength, women and children could be employed more advantageously and at lower wages than men. A visitor to the "cotton works" of Pawtucket in 1801 found that the operations of cleaning, carding, spinning, and winding cotton were left to children from four to ten years old. They were paid twelve to twenty-five cents a day. This factory employed more than one hundred children. The hours of labor at first were those common on the farms, from sunrise to sunset, or if the working days were of uniform length throughout the year, twelve hours. Problems of wages, hours, and relations between factory owners and hired employees became more and more serious.

In general, before 1850, possibly down to 1860, these industrial wage-earners

were fairly well situated. Conditions were so much better than in the mill towns of England that European visitors expressed surprise and pleasure at the contrast. Writing in 1836, the Frenchman Chevalier exclaimed: "The United States are certainly the land of promise for the laboring class. What a contrast between our Europe and America!" Writing a few years earlier, an Englishman found the American workingman too independent, lacking in a respectful regard for his employer: "The workmen are under very little subjection: sometimes they are absent from their work for several days, to the great detriment of their employer; but should they be reprimanded, it might cause the proprietor to be insulted; and the indignation of the working people, in this land of equality, is really to be dreaded." Apparently, American employees have never been content to take what was given them without complaint.

This spirit of independence was based upon a reality, in the sense that the job which he had was not the laborer's only resource. Throughout the period before 1860 there were never enough laborers to supply the demand—except temporarily during the depressions. A wage-earner who saved his money could become independent. Any able-bodied immigrant, fresh from Europe, could earn a dollar a day, at unskilled labor; his board and room would cost him two dollars a week, and his clothing was not expensive. In a few months, he could buy himself a farm. One observer became interested in a railroad construction job. He found that the laboring men received their food and lodging, and in addition wages ranging from forty to seventy-five cents a day. The food provided was abundant: three meals a day, with plenty of meat and wheat bread with each meal; coffee with sugar at two meals; butter once a day; and during the day, six to eight glasses of whisky, depending on the weather. There were no such opportunities in Europe. Under these conditions, as European observers described them, the American workingman did not need much sympathy.

American
Opportunity

It may be that these favorable comments of European visitors were more optimistic than the facts warranted. By contrast with European employees, the Americans were indeed well off. Nevertheless a twelve-hour working day left little time for recreation or for what is called today "adult education." Nor could the workingman with a family save enough from his wages to carry him over occasional periods of unemployment.

As for the women, they showed a decided preference for work in the factories to work as housemaids. There was no loss of dignity or social position in factory work, and the wages were adequate. Then another consideration made the new cotton mills seem a place of refuge. According to one observer, so many men left the eastern states for the West that the women outnumbered the men. Matrimony being out of the question for them, they had no means of earning a living but the factory.

Women in
the Mills

In the cotton mills at Waltham, Massachusetts, about 1835, there were five hundred employees, chiefly women and children. Women made two or three

dollars a week over and above their living expenses; children, one dollar. Some of the employees at Waltham saved enough money to pay off the mortgage on the home farm, or to send a brother to college. Sometimes the girls built their own houses in Waltham. "I saw a whole street of houses built with the earnings of the girls," one observer wrote, "some with piazzas, and green Venetian blinds; and all neat and sufficiently spacious."

Lowell

By 1835 Lowell, Massachusetts, had become the leading manufacturing town in the United States. It had the largest and the best-managed factories and the richest corporations. The cotton mills at Lowell produced more yarn per spindle and more cloth per loom than any other mills in the world. The employees numbered six thousand; of this total, five thousand were young women ranging in age from seventeen to twenty-four, chiefly farmers' daughters. The companies which owned the mills built boardinghouses for these girls, and saw to their proper management, with good accommodations and good meals. Wages ranged between three and six dollars per week, depending on the character of the work and the skill of the operator. Board and room at the company houses cost \$1.25 per week. In some respects the rules governing life in these houses were not unlike those still enforced in certain college dormitories today. The girls "must on all occasions, both in their words and in their actions, show that they are penetrated by a laudable love of temperance and virtue, and animated by a sense of their moral and social obligations. . . . Every individual who shall be notoriously dissolute, idle, dishonest, or intemperate, who shall be in practice of absenting herself from divine service, or shall violate the Sabbath, or shall be addicted to gaming, shall be dismissed from the service of the company. . . . All ardent spirits are banished from the Company's grounds, except when prescribed by a physician. . . . All games of hazard and cards are prohibited within their limits and in the boarding-houses."

For a good many years the worst features of the English textile mills were kept out of American factories. Working conditions were not bad, living conditions were good, and the operatives well cared for and relatively happy. Charles Dickens, ordinarily a most caustic critic of things American, was delighted with conditions which he saw in Lowell, Massachusetts:

These girls . . . were all well dressed; and that phrase necessarily includes extreme cleanliness. . . . They were healthy in appearance, many of them remarkably so, and had the manners and deportment of young women. The rooms in which they worked were as well ordered as themselves. In the windows of some there were green plants, which were trained to shade the glass; in all, there was as much fresh air, cleanliness, and comfort, as the nature of the occupation would possibly admit of. . . . I solemnly declare, that from all the crowd I saw in the different factories that day, I can not recall or separate one young face that gave me a painful impression; not one young girl whom . . . I would have removed from those works if I had had the power.

In 1841 nearly a thousand of the girls were depositors in the Lowell Savings Bank, with a total amount to their credit of nearly one hundred thousand dollars. The girls in the boardinghouses clubbed together to buy pianos, they subscribed to circulating libraries, and they published a periodical. These girls at the Lowell factories were of what might be called the first generation of factory employees in America. As such, they were recruited, not from a population knowing no other sort of life, but largely from the farms of New England. The mills did not appear to them as an unfortunate fate from which escape was impossible, but rather as a new opportunity for making money.

A somewhat less enthusiastic comment on the Lowell mills referred to the long working day, thirteen hours in summer, and from daylight to dark in winter. "At half-past four in the morning the factory bell rings, and at five the girls must be in the mills. . . . At seven the girls are allowed thirty minutes for breakfast, and at noon thirty minutes more for dinner, except during the first quarter of the year, when the time is extended to forty-five minutes." By 1850 Massachusetts had a law prohibiting the employment of children under twelve years of age, and restricting the labor of those between twelve and fifteen to nine months in each year. Outside Massachusetts child labor was common. And not all mills were as well ordered as those at Lowell. There were numerous complaints about poor lighting, inadequate ventilation, and lack of cleanliness.

Need for
Reform

PLANS FOR SOCIAL BETTERMENT

Before the panic of 1837 pauperism was rare in the factory towns of New England, and the few cases which did attract attention were due to ill health, mental deficiency, or liquor. Partly on this account, but more because of the satisfactory conditions among the workers generally, little was accomplished by social reformers who tried to improve the lot of American labor by customs imported from abroad. During the second quarter of the nineteenth century efforts were made to establish communistic societies here, but they were not very successful.

Altogether, between 1824 and 1850, there were at least forty experiments with some form of social organization in which the individual was supposed to live for the benefit of the community. The earliest was started in 1824 by Robert Owen. He was a wealthy cotton manufacturer of Scotland who had shown a lively interest in the welfare of his employees. Through his efforts his own factory acquired an enviable reputation for satisfactory working conditions. From his experience in making over one factory town he became convinced that economic and social happiness could best be secured through the formation of independent industrial communities, operated for the welfare of the whole group, with no ambitions for private profit. Coming to America in 1824, he bought land enough for his first experiment at New Harmony, Indiana. He hoped to lay the foundation of a new

Robert Owen

social system. Instead, for three years, he watched the members of his community indulge in one quarrel after another until the enterprise failed.

Brook Farm

The most widely discussed of these projects was the Brook Farm community outside Boston. There the members planned to support themselves on a large dairy farm. The whole enterprise would be operated for the interests of all, without private profit. All the adult members did some work and received pay; the community furnished schools for the children, medical care, and facilities for recreation. The great advantage of Brook Farm was the opportunity for intellectual improvement through daily association with men and women of superior ability and education. Started in 1840, this community came to an end in 1846, when the buildings were destroyed by fire.

For one reason or another most of the others failed too. At that particular time when there was still plenty of new land available and when natural resources were hardly touched, the rewards for individual initiative and energy were relatively high. Communal life might promise security and such necessities as food, shelter, and clothing, but it would never bring wealth. This lack of economic opportunity might account for the limited appeal made by the communities. Then in some cases they failed through lack of resources; in others on account of poor management. As James Russell Lowell once put it, the leaders were often men who stood ready to reform everything but themselves, and he could see little hope for communities "where everything was to be common but common sense."

Labor Unions

For similar reasons the early efforts to organize American laborers accomplished little. Laborers organize when they have lost the opportunity to make a living outside the range of their immediate jobs, and then they are exploited and oppressed. Conditions in America in the early nineteenth century were still favorable to the common man. It is true that there were labor organizations in America, particularly before the panic of 1837. Skilled laborers such as shoemakers, tailors, carpenters, and printers, began to organize "trade societies" or labor unions. Between 1833 and 1837 in Boston, New York, Philadelphia, and Baltimore, a hundred and fifty unions appeared with a total membership of 25,000. During the same four years there were more than a hundred and sixty strikes in the United States, the majority for higher wages, although some aimed at securing the ten-hour day. In 1828 and 1829 a few laborers experimented with a political party for workingmen, but at the time this plan proved generally unpopular. Among the results of this early labor movement there was a general adoption of the principle of the ten-hour day. And some of the states, notably Massachusetts, passed laws to improve working conditions and, most important of all, to restrict child labor. Also, in 1842, in Justice Shaw's decision in the case of *Commonwealth versus Hunt*, the right to strike received legal sanction.

On the whole, therefore, the efforts to launch a great labor movement

before the Civil War did not bring impressive results. The factory system was still so new, and still regarded as such a distinct benefit to the whole community, that fault-finding was discouraged. At this stage of American development, there was no permanent factory class. Furthermore, for those who worked in the mills, wages were high enough to give a reasonable degree of security. Conditions in many factories, even down to the end of the nineteenth century, were far from depressing. This was particularly true in the smaller towns, those around six or eight thousand in population. Men and women worked in the mills because they could make a good living there; some even liked the work.

The rise of factories, together with the development of plantations and farms, and the building of roads, canals, steamboats, and railroads, required the work of millions of people, and at the same time furnished an extraordinary chance for the common man to make a comfortable living. Here was a place where individual human beings counted for something, where the economic, social, and political system seemed made for man's benefit. There was not only room for everybody, there was opportunity for everybody. Compared with Europe, worn out with twenty years of war and still troubled by conflict between the old regime and the new—there were revolutions in Europe in 1820, 1830, and 1848—the United States looked indeed like the promised land.

Europeans themselves caught the fever of hope and ambition and came over to settle by the hundreds of thousands. In 1825, for the first time in American history, the number of immigrants arriving during the year passed the 10,000 mark. In 1842 the new arrivals numbered over 100,000 and in 1850 over 300,000. For the ten years before 1840 over 500,000 immigrants entered the United States; in the ten years after 1840 the total ran over 1,700,000. Immigration

There were three main racial groups represented in this peaceful invasion of the country. In 1825 fifty-three Scandinavians came into New York. They were soon followed by thousands of their countrymen, who settled chiefly in the Northwest. Between 1830 and 1855 more than half a million Germans followed the Scandinavians, also going for the most part into the Northwest. Beginning in the 1840's large numbers of Irish entered the United States. While a few became farmers in the Northwest, the majority of the Irish preferred the cities of the Atlantic seaboard or the manufacturing towns of the industrial sections. Some took the places of the native-born in the factories, while others devoted themselves to the problems of practical government, particularly in Boston and New York. It may be worth noting that few of these immigrants went into the South. Openings for free white laborers in that section were comparatively rare.

Possessed of an area far greater in extent than the existing population could possibly use, the American people could look forward to continuous expansion without fear of collision with rival neighbors. The land itself

with its agricultural resources and its seemingly unlimited supply of timber provided everything needed for the inhabitants of this country, and an ever-growing surplus for a profitable export trade. The people were endowed with the proper courage and initiative for opening new lands and for carrying civilized living into the wilderness. American statesmen had given the pioneers a land policy and a colonial system which held out encouragement to settlers in a new country. Added to all these advantages was a network of transportation facilities, partly natural and partly man-made, which united the whole area, and brought almost every section within reach of a good market. Here is a story of progress the like of which the world will probably never see again.

*Politics, Foreign Policy, and the Supreme Court,
1816-1823*

AMERICAN POLITICAL PROBLEMS

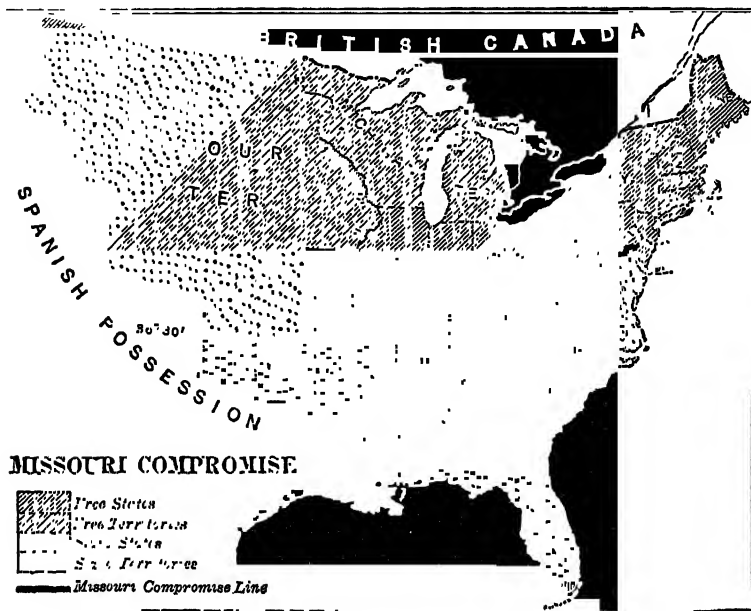
DURING the administrations of Jefferson and Madison the Democratic party had undisputed control of two branches of the national government: the executive and the legislative. John Marshall, the Federalist Chief Justice, continued to dominate the Supreme Court until 1835, but the Federalist party lost strength generally and, although it survived for a number of years in local elections, it had little influence in national affairs after the War of 1812. For a while no new political party developed to take the place of the Federalists. Having no competition, since the only contest was in the party nominating caucus, the Democrats could elect their candidates without difficulty. In fact, nomination by the party was virtually equivalent to an election. Under this simple arrangement James Monroe was elected in 1816. During the interval there were various manifestations of a new spirit of democracy in the United States. Between 1816 and 1830 ten new state constitutions were adopted, nearly all of which dropped the property qualification for voting, thereby bringing in the American ideal of universal manhood suffrage. At the same time the majority of states abandoned the old plan of having Presidential electors chosen by the state legislatures, and turned the responsibility of selecting them over to the voters. Then too, while these alterations were being made, the Presidential nominating machinery was subjected to severe criticism. The selection of candidates for the highest office in the land had been left to the party caucus. This method was now opposed, on the ground that it violated the spirit of the Constitution. Further objections came from those who said the scheme of caucus nomination was essentially undemocratic. In 1816 the caucus almost ran counter to the decision of the party leaders. Monroe was the party's choice for the nomination, but Crawford nearly got it for himself, losing by the narrow margin of sixty-five to fifty-four. Monroe easily won the election itself.

Election of
Monroe

In 1820 in his second election Monroe received all but one electoral vote. Rivalry between parties temporarily disappeared, and the few years immediately after 1820 have sometimes been described as the "era of good feeling." This description may be correct, so far as the absence of an opposition party went, but it hardly applied to the Democratic organization; this was full of

Presidential
Ambitions

bitter factional disputes, carried on even within the President's own Cabinet. The leading members of this group were John Quincy Adams, the Secretary of State; John C. Calhoun of South Carolina, Secretary of War, up to 1820 a leading nationalist; and William H. Crawford of Georgia, Secretary of the Treasury. Crawford was greatly admired by Albert Gallatin, who found in him an expert in public finance very much to his liking. All three were open and avowed candidates for the Presidency in the coming election of



MAP 18.

1824, and as a result their official relations were marked by bitter rivalry. In addition to this Cabinet group there was another aspirant for the Presidential chair, Henry Clay of Kentucky, Speaker of the House of Representatives.

Among domestic issues the problem of slavery in Missouri caused more concern than any other single question. Legally there was little basis for a dispute. Missouri was part of the Louisiana Purchase, and slavery had been sanctioned there by both French and Spanish law. The Louisiana Purchase Treaty had clearly provided for the protection of all inhabitants in their liberty, property, and religion. By 1818 there were probably 2,500 slaves in Missouri, and slaves were property. The Constitution gives Congress power to legislate for the territories, but Southerners denied that this power could be used to abolish slavery.

In 1818 the territory asked to be admitted to the Union. The following year an enabling act was introduced, to make the territory a state. While it was under consideration, Tallmadge of New York moved two amendments, one to prevent the further introduction of slavery into the state, the

other providing that all children born in the state should become free at the age of twenty-five. Tallmadge therefore was responsible for starting a lively discussion which revealed how close to disunion the country actually was. In the northern states mass meetings were held for the discussion of slavery, and the legislatures of five states—Pennsylvania, New York, New Jersey, Delaware, and Ohio—adopted formal resolutions protesting against any further spread of slavery into the West. The legislature of Pennsylvania based its opposition on moral grounds. It urged the other states “to refuse to covenant with crime” by assisting in the spread of the “cruelties of slavery from the banks of the Mississippi to the shores of the Pacific.” The southern state legislatures, on the other hand, were equally outspoken in opposing restrictions on slavery. Then President Monroe laid the question before his none-too-harmonious Cabinet. The members agreed that Congress had power to prohibit slavery in the territories, but they could not agree as to whether any such restriction imposed on a territory would be binding when the territory became a state.

Slavery in
Missouri

The Congressional debate upon the amendments and upon the whole question of slavery was notoriously lively. For the anti-slavery side Senator Rufus King of New York argued that, under the constitutional provision granting power to make all needful rules and regulations for the territories, Congress could exclude slavery. For precedent, he cited Ohio, Indiana, and Illinois, all admitted under restrictions imposed by the Ordinance of 1787.

Because King chose to base his argument, upon constitutional grounds, he could hardly complain when the patent weakness in his reasoning was pointed out. Whatever power Congress may have had over the territories, over the states it had only those named in the Constitution. In the Constitution there was nothing to prevent a state from legislating as it pleased about slavery. Consequently Congressional prohibition of slavery could be binding only during the territorial period, because the state could repudiate it. William Pinkney of Maryland pointed out this possibility. He said that when new states entered the Union, they came in on terms of equality with the older states; consequently, Congress should not try to restrict their freedom of action.

Because of the intense bitterness of the debate, southern leaders feared that Congress might go so far as to abolish slavery. In the House, representatives from the free states already outnumbered those from the slave, 105 to 81, but because each section had eleven states, the Senate was evenly divided. Should Missouri come in as a free state, however, the balance would be upset. Action on Missouri would establish a precedent for the remaining areas of the Louisiana Purchase.

The Tallmadge amendment passed the House, but met defeat in the Senate, thereby leaving the dispute where it was at the start. Just how the question would have been settled on the merits of the case no one knows. Fortunately the eastern counties of Massachusetts, now the State of Maine,

**The Missouri
Compromise**

were applying for statehood. This furnished an opportunity to preserve the balance in the Senate, and to compromise the dispute. The Thomas amendment to the enabling act provided for slavery in Missouri, but prohibited it in the remaining part of the Louisiana Purchase which lay to the north of the 36° 30' line, Missouri's southern border; this was an essential part of the compromise. Thus Maine and Missouri were both admitted, one free, the other slave. The southern leaders voted for the Compromise to save the Union, not because they approved of the principle. And in voting for it, many of them were left with a feeling of resentment that pointed toward future trouble.

This dispute over slavery was one of the consequences of the development of the West. Congress had settled the question of slavery for the states east of the Mississippi River in the Northwest Ordinance of 1787. But the Ordinance did not apply to the Louisiana Purchase, and before 1820 there had been no agreement with reference to slavery there. Northern members of Congress who believed that slavery was wrong, and southern members who believed it was right both wanted the West to develop in accordance with their views. The Missouri Compromise was designed to settle the problem for all time, so that there would be no difficulty when other territories should apply for admission.

Although anti-slavery agitators based their opposition to slavery upon moral issues, and Southerners defended the institution on constitutional grounds, some modern historians profess to find an economic cause for the whole dispute. According to this theory northern businessmen, farmers, and industrial workers insisted on saving the West for free labor and for the diversified economic system of the North. This formula has the merit of logical coherence, but actual and conclusive evidence to show that people of that day were thinking in precisely these terms has not been submitted.

**Results of the
Contest**

Whatever its cause may have been, there is no question of the result of the controversy; on both sides were left ugly memories. Looking upon slavery as essential to her economic well-being, the South resented both the attack upon her labor system and the challenge to her ethical standards. By what authority, she asked, did the northern states venture to tell her what was right or what was wrong? And more important still, the South opposed the effort to destroy the balance of power in the Senate, because this was her last safeguard. Prior to this debate over Missouri, it seemed that the "American System" had worked toward a "more perfect union"; after the debate, though the forces making for nationalism were still strong, they were counteracted by the determination of the South to defend itself against attack from the North.

In 1821 there was no immediate danger of war, since neither the North nor the South had become homogeneous or aggressive enough to provoke the other to action. Forty years later the two sections had moved so far apart that war seemed unavoidable.

THE PROBLEM OF LATIN AMERICA

In the field of foreign policy Monroe and his Secretary of State were confronted with a peculiarly difficult situation in Latin America. Out of this tangle the administration eventually emerged with an important treaty and a popular foreign policy. The treaty provided for the purchase of Florida and for an agreement upon the western boundary of the Louisiana Purchase. The foreign policy was the Monroe Doctrine. For three hundred years the Spanish empire had flourished without serious internal weakness, and then in the course of two decades the whole structure disintegrated. The real beginning of Latin-American independence dates from 1807, when Napoleon took possession of the Spanish government. In order to force recalcitrant Portugal into his continental system, Napoleon planned to control Spain, and then extend his power over Portugal. To this end he deposed both King Charles IV and his son Prince Ferdinand, and then gave the kingdom to Joseph Bonaparte, his own brother. But the Spanish people refused to consent to this high-handed proceeding. The rule of the Bonapartes was repudiated everywhere outside the immediate range of the French troops, and the Spanish rebellion, starting in 1808, proved to be one of the important factors in the ultimate downfall of Napoleon.

Collapse of
the Spanish
Empire

In Latin America the various provinces refused to recognize Napoleon's authority, and proceeded to set up governments of their own, professing allegiance to Ferdinand VII, the deposed prince. By 1810 all of Spanish America except a part of Peru was in open rebellion. In 1811 Venezuela declared herself independent of both Napoleon and Ferdinand VII, and proclaimed a republican form of government. Miranda, the patron saint of Latin-American freedom, became the first president. But by 1812 Miranda was overthrown, given up to the Spaniards, and shipped to Spain, to spend the last three years of his life in a prison in Cadiz.

In its pursuit of "legitimacy" the Congress of Vienna, in 1814, restored Spain to its Bourbon rulers, and Ferdinand VII became king. The new king re-established the former system of colonial absolutism, both in government and in trade. The undertaking proved to be more difficult than Ferdinand had imagined. These various states had enjoyed a taste of independence, with no commercial restrictions, and they objected to the restoration of the old monopoly. In 1816 Buenos Aires declared itself independent, and its example was quickly followed all the way from Chile to Mexico. Although the last battle was not fought until 1824, except in Puerto Rico and Cuba, Spanish power was virtually a thing of the past. During the same period the Portuguese colony of Brazil also became independent.

This course of events created new difficulties for the United States, and it raised a number of serious questions. Should the United States recognize these new republics, or not? What should be the guiding principles concerning the relations between the United States and Latin America? And

more important still, what should be the attitude toward the Latin-American policy of Europe? Specifically, if any European nation or nations endeavored to restore Spanish power, what should the United States do? Or, if any European nation should desire to aid the Latin Americans, should the United States cooperate or not?

On the whole the United States sympathized with this movement toward independence; the Latin Americans were granted full belligerent rights, and Latin-American vessels were welcomed in North American ports. Officially, however, the United States remained neutral, and the government hesitated for a time before granting full recognition to the new republics. During 1811 and 1812 this government sent special agents to Argentina and Venezuela, with instructions "to explain the mutual advantages of commerce with the United States, to promote liberal and *stable* regulations, and to transmit seasonable information on the subject." These missions marked the opening of regular commercial relations between the United States and the Latin-American peoples.

Although the government at Washington did not accord formal independence to the struggling new governments, both Jefferson and Madison were prepared to oppose the pretensions of any non-Spanish power in that quarter. In 1808 Jefferson wrote that no other foreign power should be allowed to secure either political domination or commercial control there. "We consider their interests and ours the same, and that the object of both must be to exclude all European influence from this hemisphere." In 1811 President Madison recommended to Congress "the seasonableness of a declaration that the United States could not see without serious disquietude any part of the neighboring territory in which they have in different respects so deep and so just a concern pass from the hands of Spain into those of any other Foreign Power." Congress adopted a resolution for this purpose.

President Monroe hesitated to accord formal recognition, and this delay displeased the more energetic Americans, who found a leader and a spokesman in Henry Clay. For ten years Clay stood out as the great champion of the policy of recognition. In 1817 and again in 1818 he delivered speeches against American neutrality. In 1820 he succeeded in forcing through the House of Representatives a resolution in favor of recognition. The country at large, insofar as it had an opinion, agreed with Clay. Even though he could not compel the administration to act, he could point to what he called the unreasonable stubbornness of the Secretary of State and so discredit him with the voters. Adams and Clay both were looking forward to the Presidential election of 1824 and Clay found the Latin-American issue a good one.

Ordinarily it would have required little urging to compel the administration to act, but this particular problem was complicated by another, which both Monroe, the President, and John Quincy Adams, the Secretary of

State, were eager to settle. This was the Florida question. Jefferson had always insisted that the United States had acquired West Florida as a part of the Louisiana Purchase. No attempt was made to take possession until 1810, when President Madison ordered Governor Claiborne of the Orleans territory to occupy all territory as far east as the Perdido River, that is, up to but not including the city of Pensacola. Part of the region was added to the new state of Louisiana, part to the territory of Mississippi. All this was done in spite of Spanish protests.

East Florida still remained in Spanish hands, and Madison determined to secure it for the United States. In a secret message of January, 1811, the President asked Congress for authority to take possession of any or all of East Florida. Congress granted the President's request, and by a secret act, it authorized him to take possession, under either of two conditions: if the inhabitants should consent to American occupation, or in case a foreign power should attempt to seize the territory. Madison determined to act at once, and sent two commissioners to carry out his orders. Although their instructions were somewhat vague, they believed that the President wanted action. When Madison learned that the inhabitants were ready for rebellion, he suggested that the administration might surreptitiously place the necessary arms at their disposal. In 1812 the revolution took place, and the American commissioners seized Amelia Island. Then Madison, timid as usual, disavowed the act of his commissioners and in 1813 the American troops were withdrawn. The Spanish government then broke off diplomatic relations with the United States.

After the War of 1812 the problem of East Florida assumed a somewhat different aspect. Hitherto the only reason for American interference there had been a desire on the part of the administration to annex it to the United States. From 1814 to 1819 the province was a center of disorder, and a constant menace to peace along the Georgia boundary. In the latter part of the war British forces had used it in violation of its neutrality as a base of operations against the United States, and after the war it appeared that British officers were inciting Indians and fugitive Negro slaves to continue guerilla warfare against the United States. The Spanish authorities were unable to suppress this nuisance, so American forces proceeded to do so. The United States had a right to do this, under the Treaty of San Lorenzo of 1795, by which Spain had bound herself to prevent the Florida Indians from making trouble for the states.

In December, 1817, President Monroe ordered General Andrew Jackson to put an end to the Indian attacks. His orders were as vague as the instructions which Madison had given to his commissioners, and they allowed Jackson ample room for the exercise of his own discretion, both as to the manner and as to the extent of his operations. Jackson received his orders in Tennessee. Only too eager to carry out a favorite project of his, the capture of Pensacola, he wrote a letter to Monroe, with the following sug-

Jackson in
Florida

gestions: "Permit me to remark that the arms of the United States must be carried to any point, within the limits of East Florida, where an enemy is permitted and protected, or disgrace attends." Then the belligerent Jackson advised the seizure of the whole of East Florida and he promised to handle the matter so as not to implicate the administration: "Let it be signified to me through any channel (say Mr. J. Rhea) that the possession of the Floridas would be desirable to the United States, and in sixty days it will be accomplished." Jackson always asserted that he received through Rhea the assurance which he asked for. After the matter became a subject of controversy, and not until then, Monroe insisted that he never read this letter until after Jackson was in Pensacola.

Treaty of
1819

Be that as it may, Jackson captured the various key points in northern Florida, finishing up with Pensacola in 1818. Incidentally, after a trial by court martial, he executed two British subjects, Arbuthnot and Ambrister, for complicity in the Indian attacks upon American forces. The Spanish government, with which diplomatic relations had recently been renewed, demanded that the posts be surrendered, and that Jackson be punished. Monroe yielded on the first point, but he could not very well punish Jackson. Then there followed a vigorous exchange of views between the Spanish minister and John Quincy Adams. The outcome was the Treaty of 1819, by which Spain ceded the Floridas to the United States. In settling the Florida question, the two powers at the same time agreed upon a western boundary for Louisiana, a matter which had not been settled up to that time. The line was to run from the mouth of the Sabine River, following the western bank of that river to the thirty-second parallel, then due north to the Red River, along it to the one-hundredth meridian west from London, then due north to the Arkansas River, along its southern bank to the source, then to the forty-second parallel, and from there westward to the Pacific. By this treaty therefore, while the United States secured a clear title to all of Florida, it surrendered its title to Texas.

In view of the reasonable validity of the American claim to Texas, the question arises as to why it was abandoned. Secretary Adams opposed this part of the bargain, but he did not see fit to advertise his disagreement with his colleagues. Probably Crawford had as much influence on the decision as anyone. He had been keenly aware of the disorders south of the Georgia line and he wanted them stopped. The annexation of Florida would enable the United States to restore order. The Americans knew little about Texas, except that it was a vast uninhabited section beyond the Sabine River. Some members of the administration believed that Florida was more valuable than Texas. In any case, Spain was in a position to name her price for Florida, and Texas was a part of the price. Spain delayed ratification of the new treaty until October, 1820, because she hoped to prevent the United States from recognizing the independence of the Latin-American republics. In 1822, with the Florida treaty out of the way, Monroe informed Congress

that the time for recognition had come, and he asked for an appropriation for sending ministers. In 1824 diplomatic representatives were sent to Colombia, the Argentine Republic, and Chile, and in 1826 to Mexico.

If there had been no other considerations, the decision to recognize the independence of the republics might have marked the end of American concern in the problem, but there still remained the attitude of Europe. In September, 1815, the powers of Russia, Prussia, and Austria signed a treaty creating the Holy Alliance. The aim of this combination was "to take for their sole guide the precepts of that holy religion, namely, the precepts of justice, Christian charity and peace." To make this ideal practical, they promised assistance to each other in carrying it out. About two months later, in November, 1815, Great Britain, Russia, Prussia, and Austria signed another treaty, creating the Quadruple Alliance. The aim of the four powers was to prevent revolutionary disturbances in Europe. In the course of events, the more dramatic title was applied to the more important agreement, so for practical purposes this alliance to keep the peace became generally known as the Holy Alliance.

European
Alliances

The first conference of the allies met at Aix-la-Chapelle in 1818. At that time France was restored to good standing in European affairs, and foreign troops were withdrawn from French soil. In 1820 another conference was called, which met first at Troppau, later at Laibach. This was made necessary by the outbreak of revolutions in Spain, Portugal, Naples, and elsewhere, movements which gave rise to much uneasiness "in all those who are under the obligation of watching over the tranquillity of states." The product of the discussions was the Austrian expedition into Naples, designed to crush the revolution there.

The last of this series of conferences met in 1822 at Verona. It was opposed to representative government, and according to report, the members agreed to use their efforts to destroy democracy throughout Europe. Then, more specifically, the allies entrusted to France the responsibility of restoring order and arbitrary power in Spain. In April, 1823, a French army crossed the Pyrenees; by October the revolution was over, the leaders had been executed, and absolutism was restored.

Successful in restoring "tranquillity" in Spain, the allies next turned their attention to her rebellious colonies in Latin America, and for a time there appeared to be grave danger of European intervention in that quarter. The Spanish government appealed to the other powers for help, and suggested a conference at Paris, for the purpose of "adjusting the affairs of the revolted countries of America." This proposed conference never met, because of the opposition of Great Britain. In 1821 she had opposed the declaration of Troppau, in which the allies had proclaimed their purpose of intervening in Naples, and she refused to cooperate with the other powers in carrying out their project. In 1822 she had opposed the French invasion of Spain. When the scheme of allied intervention in the Spanish colonies was pro-

England
Blocks the
Alliance

posed, George Canning, the new Secretary for Foreign Affairs, told the Cabinet that Britain ought to prevent either Spain or France from sending a single regiment to America. English merchants were already engaged in trade with Latin America, and the restoration of Spanish absolutism would bring this to an end.

Because of the seriousness of the situation in the summer of 1823, Canning decided to approach the interested parties, and to lay before them a set of principles for guidance in handling the Spanish-American problem. The note in which these principles were outlined was sent to the governments of Austria, Russia, Prussia, Portugal, Spain, the Netherlands, and the United States. The position of the English government, as defined by Canning, was that Spain could not recover control of her colonies; that recognition of the new republics could be left to a more opportune time; that no obstacle should be placed in the way of amicable negotiations between Spain and the republics; that Great Britain did not aim at the possession of any of the territory there, but that she could not see any of it transferred to any other power. The note closed with the suggestion that the powers might join in publicly proclaiming these items as their policy.

While the Monroe administration was trying to decide what to do with these European complications in Latin America, the President and his Secretary of State were confronted by a somewhat similar difficulty in the Northwest. In 1821 the Czar of Russia issued an order warning all foreign vessels not to come within one hundred miles of any part of the Pacific coast of America, north of the fifty-first parallel. The Oregon territory, then under the joint control of Great Britain and the United States, extended up to the parallel of $54^{\circ} 40'$, therefore the Russian policy was equivalent to a high-handed seizure of territory which did not belong to it. John Quincy Adams had no intention of permitting the aggression. By way of a belated reply to the Russian minister, Adams in July, 1823, announced that the United States would contest the right of Russia to *any* territorial establishment in North America, and that "we should assume distinctly the principle that the American continents are no longer subjects for *any* new European colonial establishments." Later, he announced that, outside the European colonies already established, "the remainder of both the American continents must henceforth be left to the management of American hands."

During November, 1823, Monroe's Cabinet was largely concerned with foreign policy. Richard Rush, the American minister to England, had kept Monroe informed of Canning's suggestions, and Monroe had written to his two predecessors, Jefferson and Madison, for advice. Monroe himself favored joint action with England, and Jefferson and Madison both agreed with him. John Quincy Adams, however, stubbornly opposed the President on this issue. "It would be more candid, as well as more dignified," he declared, "to avow our principles explicitly to Russia and France, than to come in as a cock boat in the wake of the British man of war." His purpose would

Russian
Aggression

John Quincy
Adams

be to disclaim any intention of propagating American ideas by force, or of interfering in Europe, and at the same time to make it known that the United States expected the European powers to refrain from any attempt to spread their principles in America, or to conquer any part of American territory.

Adams knew that Great Britain would oppose European intervention in Latin America, and that British policy would be the same no matter what the United States did. Therefore, if it came to a question of force against Europe, the United States would have the help of British power, without the possible disadvantage of a formal alliance. The Secretary of State converted the President to his point of view, and so really formulated the foreign policy of the administration.

The Monroe Doctrine consists of two sections of Monroe's annual message to Congress of December 2, 1823. The first part, aimed at Russian aggression in the Northwest, declared "that the American continents by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers." The second part made plain the purpose of the United States to refrain from concerning itself with European complications, and announced that the United States would consider any attempt of the European powers to extend their system to any part of America "as dangerous to our peace and safety." Any interference in Latin America would therefore be construed as an act of unfriendliness toward the United States.

The Monroe
Doctrine

This doctrine was not new. Again and again various prominent American leaders had expressed sentiments similar in part to those embodied in Monroe's message. The Monroe Doctrine therefore simply became a name for an old policy. The doctrine was not a part of international law, nor even a rule binding on the United States. No obligation was created by it, either to Europe or to Latin America. It was neither a pledge to anybody, nor an agreement with anybody. It did not have even the force of law in this country. Any administration would be as free to repudiate it as Monroe had been to proclaim it. The durability of the doctrine has been due, not to any sanctions inherent in it, but to the fact that it expressed American theories and desires. It has lasted because the country likes it.

Canning described the doctrine as "very extraordinary," and compared it with the order of the Russian Czar already referred to, neither of which, he declared, would England recognize. But as the danger of European interference in Latin America disappeared, the doctrine was generally forgotten, to be revived only when similar dangers again arose.

Canning might protest against the Monroe Doctrine, but he and his associates were fully as determined as Monroe and Adams to prevent European interference in Latin America. Britain was interested in promoting commercial relations with these newly independent states, and she would not tolerate the re-establishment of the old exclusive Spanish monopoly.

And Britain had the power to compel respect for her policy. The United States, on the other hand, had the same policy, but in those days she was not strong enough to make it good by force. Thus Canning found himself in the odd position of upholding the principle of the policy he found so extraordinary. At the time the American people were not fully aware of what they owed to the British navy.

THE NEW NATIONALISM

These varied developments in the United States, going on simultaneously after the War of 1812, pointed toward the rise of a new national feeling. This spirit of nationalism was inherent in discussions of the abstract principles of the American system, and in the concrete policies adopted to make this policy effective. The complementary development of three major geographical sections in the United States, the construction of new means of transportation and communication, and the increasing volume of domestic commerce all provide objective proof that the different parts of the nation were being drawn together. The only divisive force in sight was the dispute over slavery, but for a time this danger was obviated by the Missouri Compromise. The announcement of the Monroe Doctrine was an illustration of the same nationalistic spirit in the field of foreign policy. Monroe and Adams showed a clear grasp of the essential differences between Europe and America, and a firm desire to keep the Europeans out of the New World.

Still another manifestation of the growing nationalism of these years was to be found in the decisions of the Supreme Court. Taken together the more important decisions were formal assertions of national power and national supremacy. The great spokesman for the Court was Chief Justice John Marshall. From 1801 to 1835 he led the Court and dominated his colleagues. In interpreting the Constitution Marshall held that it was the work of the people of the nation rather than the work of the governments of the states. In case of disagreement, consequently, the states must yield to superior authority. Marshall also believed in a system of interpretation which would allow the most beneficial use of constitutional authority. And while he admitted that the government of the United States was one of limited powers, nevertheless it was supreme within those prescribed limits.

One of the most important of these decisions, in *Marbury vs. Madison*, delivered in 1803, while the Jeffersonian reforms were still in progress, was designedly a warning from the Federalist Chief Justice to the Democratic President. Briefly, it set forth the doctrine that an act of Congress which is repugnant to the Constitution is *ipso facto* null and void. The facts in the case were simple. In the closing hours of his administration, Adams had signed a commission appointing one William Marbury justice of the peace. The commission was not delivered, and when the Democrats came in, Madison, the new Secretary of State, refused to deliver it. Thereupon the offended Marbury sought a writ of *mandamus*, to compel delivery. Marshall

held that the act of Congress authorizing the Supreme Court to issue that form of writ was unconstitutional, hence Marbury could get no relief from the Supreme Court. The reasoning of the Chief Justice was clear and logical. Starting from the premise that the people of the United States had the right to lay down certain guiding principles for their government, which they had done in the Constitution, he argued that the Constitution determined the limits of Congressional authority; the Constitution is the supreme law of the land. Then he concluded that an act of Congress which was contrary to the Constitution could not be law, or, if it could, the Constitution became a dead letter. There was no middle ground. In this reasoning, it should be noted, Marshall ignored that part of Article III of the Constitution which gives Congress power to restrict the appellate jurisdiction of the Court.

Marshall might be accused of playing common politics in this particular case. As a good Federalist he wanted to put the Democratic Jefferson in his place. The decision in *Marbury vs. Madison* seems to have been designed to serve as a check on a Democratic Congress. Marshall had to have a convenient means for the assertion of federal supremacy, and *Marbury vs. Madison* was the first case that came to hand. To the layman it looks as though the Court might have found the act of Congress permissible under the theory of broad construction, provided Marshall had seen fit to use this formula.

**Important
Decisions**

If Congress could not pass a law contrary to the Constitution, it logically followed that a state legislature was subject to the same limitation. This doctrine the Court definitely declared in 1810, in *Fletcher vs. Peck*, which annulled an act of the Georgia legislature, revoking some of the Yazoo land grants. The Court held that the law in question was a violation of contract, therefore unconstitutional. Later, in the *Dartmouth College* case, decided in 1819, the Court declared again that a contract could not be impaired by state law.

The same Chief Justice was as willing to assert the authority of the Supreme Court over state courts as over state legislatures. In 1809, in *United States vs. Judge Peters*, the Court upheld the state courts of Pennsylvania, against an act of the legislature. In 1816, in *Martin vs. Hunter's Lessee*, the Supreme Court accepted an appeal from a Virginia court, and reversed the decision of the local tribunal, on the ground that the state court had not kept within proper constitutional limits. Again in 1821, in *Cohens vs. the State of Virginia*, the Supreme Court asserted its right to receive appeals from state courts.

The doctrine of implied powers was set forth explicitly in *McCulloch vs. Maryland*, in 1819. The state legislature had imposed a tax on the local branch of the Second United States Bank. In upholding the rights of the Bank, Marshall declared that the Constitution conferred upon Congress two kinds of powers: fundamental and derived. If the end sought was legiti-

mate, any means not specifically prohibited might be used. Therefore, he concluded, the law creating the Bank was constitutional, and the tax law of Maryland was unconstitutional. Among other important decisions was that in *Gibbons vs. Ogden*, in 1824, which declared unconstitutional an act of the New York legislature granting a monopoly of steamboat operation in New York waters. The Court declared that Congress alone had control of interstate commerce.

Politics and Democracy, 1824-1831

 THE RISE OF ANDREW JACKSON

DURING President Monroe's second term the Jeffersonian Democratic-Republican organization split into factions, and out of this confusion Jackson and his friends created a new Democratic party. For a time the process of establishing this new organization was slow, but during the campaign of 1824 progress was fairly rapid. This campaign was characterized by Woodrow Wilson as "the scrub race for the presidency," not because of the caliber of the candidates, but because of their number and their too-obvious scrambling for the place. Among the leading contestants were three members of Monroe's Cabinet: John Quincy Adams, William H. Crawford, and John C. Calhoun. Next came two other aspirants, both strong men, both decidedly "available," and both from the West: Henry Clay of Kentucky, the Speaker of the House, and Andrew Jackson of Tennessee, the hero of New Orleans and of the enterprise in Florida. All these but the last had acquired extensive experience in public affairs. Jackson knew little of statesmanship, but he was an able soldier and leader.

End of
Jeffersonian
Democracy

In 1816 the controlling factor in national politics was an alliance between the Republicans of Virginia with the Democrats of New York. The Virginians could control the electoral votes of Kentucky, North Carolina, Tennessee, and usually Georgia, with a total of fifty-nine. New York had twenty-three votes of her own, and could usually count on those of New Jersey. This coalition could deliver 90 electoral votes out of a total of 190. According to previous arrangements the Virginians had named the President while the New Yorkers picked the Vice-President. In 1822 this effective party machine broke down under the weight of too many candidates. Virginia and New York joined in support of Crawford, but Kentucky favored Clay; Tennessee wanted Jackson. North Carolina was torn by a desire to support both Calhoun and Jackson, and South Carolina favored Calhoun.

Some followers of Crawford and Clay tried to unite but Clay himself would not work with Crawford. Crawford's friends thereupon turned against Clay. Another group which wanted Clay proposed to bring in John Quincy Adams. One leader in this combination asked Adams if he would join an alliance to defeat Crawford. Adams replied: "I would cordially contribute to this object to the utmost of my power." Jackson was also

Political
Intrigue

ready to do anything to ruin Crawford's chances: "As to Wm. H. Crawford you know my opinion. I would support the Devil first." Then a scheme was worked out whereby Adams would become President, Jackson Vice-President, Clay Secretary of State, and Calhoun Secretary of the Treasury, but Adams refused to commit himself to this specific deal.

In connection with this wholesale bargaining, Calhoun wrote unctuously to Jackson: "I hope we shall never present the example of coalition, intrigue or management advancing any citizen to the highest honor of the country. The influence of such an example would be pernicious in the extreme. If the people can be cheated, they will not be served. Virtuous servants would be discouraged and the unprincipled only would thrive." Jackson and Calhoun had already reached an agreement to make Jackson President, while Calhoun would take second place on the ticket. A little later Martin Van Buren transferred New York's support from Crawford to Jackson. These details help to reveal some of the crosscurrents in American politics.

All the older leaders were affiliated with eastern business interests. In 1816 Adams, Clay, Calhoun, and Van Buren favored the Bank, the tariff, and internal improvements. Leadership in older Jeffersonian circles therefore, becoming more and more conservative, was largely connected with the East. Some western leaders condemned this connection, and one cause of Jackson's popularity was his independence of these interests and issues.

Prior to 1819 there is nothing to indicate that outside of his own state Jackson was regarded as a Presidential possibility. But he had friends who were interested in advancing his fortunes, partly in order to advance their own. When Clay and Crawford first saw signs of Jackson's increasing popularity, they both determined to use his venture in Florida as a means of discrediting him. In January, 1819, Jackson's enemies in the House introduced resolutions condemning the general's activities in Florida, particularly the execution of Arbuthnot and Ambrister and the seizure of Pensacola. Henry Clay emphasized the danger of military dictatorship if Jackson should be elected. But these efforts of his enemies actually worked to Jackson's advantage. The House of Representatives rejected the resolutions of criticism. Then, early in 1819, Jackson visited Baltimore, Philadelphia, and New York, where he was received enthusiastically. In New York the Tammany Society gave a great dinner in honor of the military hero.

By 1822 Jackson's friends: John H. Eaton, Major William B. Lewis, and Felix Grundy began to work for a Presidential nomination for their hero. Newspapers in Pennsylvania and Tennessee took up the cause, and the legislature of Tennessee adopted resolutions declaring that Jackson ought to be the next President. The Scotch-Irish farmers in western Pennsylvania became enthusiastic Jackson supporters. One of their leaders, the Reverend Edward Patchell, established a newspaper, the *Alleghany Democrat*, to help Jackson. The earnestness of this group was reflected in a letter which Patchell himself wrote to Jackson in 1824: "Altho' I well know that my

Jacksonian
Tactics

Politics
Becomes a
Religion

talents were unadequate to the task, yet I depended not only in my personal courage alone, but I trusted in my God, and your God, whome hath raised you up for to be a Saviour and a deliverer for his people." Patchell organized a great public meeting to boom Jackson for the Presidency, and he tried to break down the influence of the regular Democratic politicians in his part of the state. As he himself explained it:

I have reduced the Lousie party here from ten thousand to something less than fifty, and they are chiefly the antient and notorious wire workers, they are the office holders and office hunters, and all they can do now is grin and shew their teeth. . . . And should we fail this Election, I will pray my God to spare life until I see Andrew Jaskon President of the United States, and then let me close my eyes in peace.

In this Presidential race of 1824 there is no way of discovering precisely how the people themselves felt about the various candidates, and no way even of discovering accurately just what the popular vote was. In six states, containing a quarter of the total population in the country, the electors were chosen by the legislatures, so there was no popular vote. In several other states with a large voting population, only a minority took the trouble to go to the polls. Again, in several states, not all four candidates were before the voters; in some there were only three tickets, in some only two. Such being the case, any attempt to determine the popular vote is a waste of time. So far as any tabulation is possible, Jackson came first, with Adams second.

Election of
1824

In the electoral vote, Jackson received ninety-nine, Adams eighty-four, Crawford forty-one, and Clay thirty-seven. This outcome therefore threw the election into the House of Representatives. Clay was out of the running, because, under the Twelfth Amendment, the House was limited to the three names highest on the list. But, as Speaker of the House and the most popular man in Congress, Clay controlled enough votes to determine the outcome. During the preliminary campaign he had consistently opposed both Crawford and Jackson, so he could hardly endorse either of them. He had more in common, politically, with John Quincy Adams, so he threw his support to the New Englander. Adams won the election.

When Clay's decision was made public, Adams's opponents, in disagreement on nearly everything else, united in an imposing display of wrath. Clay's support, they proclaimed, was the result of a corrupt bargain, by which Adams would get the Presidency, while Clay would become Secretary of State, and in accordance with time-honored custom, heir apparent. This charge first appeared in an unsigned newspaper communication. Clay promptly replied, denouncing the writer as a liar and suggesting a duel. Whereupon a thick-headed, dull-witted Congressman from Pennsylvania, George Kremer by name, announced that he was the author. There was no object in fighting a duel with a man like that, particularly since he was

Corrupt
Bargain?

acting as the tool of the Jackson group. Clay then demanded a Congressional investigation. Kremer refused to appear before the committee, thereby proving the fitness of Clay's epithet. Evidence was produced showing that the Jackson and Crawford forces had sought Clay's support, with the most shameless offers of political reward. Although there has never been a shred of proof of the charge as made, and although ample evidence was brought in to refute it, the thing stuck, to plague Clay for the rest of his life.

The charge placed the new President in a peculiar dilemma. If he did not appoint Clay to the State Department, the opposition would say that the exposure of his scheme had frightened him out of it; if he did, they would advertise the act as proof of their charge. Adams ignored the difficulty, and gave Clay the place. And yet Adams did not think very highly of Clay. He had watched him in action at Ghent, and he had heard reports of Clay's propensity for gambling. Adams was horrified to learn that Clay had lost eight thousand dollars in a single night's session at poker. Writing in his diary in 1821, Adams had characterized Clay in none-too-complimentary terms:

Clay is an eloquent man, with very popular manners and great political management. He is, like almost all the eminent men of this country, only half educated. His school has been the world, and in that he is a proficient. His morals, public, and private, are loose, but he has all the virtues indispensable to a popular man. . . . Clay has large and liberal views of public affairs, and that sort of generosity which attaches individuals to his person.

In spite of this unfavorable opinion and the circumstances which brought them together, Adams and Clay worked together in surprising harmony. But Clay's acceptance of the place in Adams's Cabinet cost him much of his former popularity in the West.

Those who attempt to explain all American political activity in terms of economic interest have a difficult time with this era of the 1820's. Logically the South and West, interested in agriculture and trade, should have joined forces against the East, which was becoming more and more directly concerned with industry and finance. Then Calhoun, Crawford, Clay, and Jackson should have joined in opposition to Adams, Van Buren, and Webster. To be sure, Calhoun and Jackson worked together for a time, but not for long, and in the main the political alignment of these various leaders can be explained more satisfactorily on purely personal grounds than in terms of great economic interests. In other words, many of the political disputes of this period were personal rather than economic in character, and they were shaped not by principle but by petty factional squabbles.

The new President was well trained for his office. As a youth he had served as his father's secretary in Paris. In 1814 he had helped to write the Treaty of Ghent. He had served in Russia as minister from the United States. He had also been a member of the United States Senate. Then as

Monroe's Secretary of State he had helped to formulate the Monroe Doctrine. Years of experience in public office had given him an excellent understanding of national problems.

As President he hoped to persuade Congress to enact a series of laws designed to promote the general welfare and to encourage learning. He believed the national government should undertake a carefully planned program of internal improvements. He urged Congress to found a national university and a national observatory. In this same connection he tried to encourage the scientific exploration of the American coastline, particularly in the Northwest. He believed the government should promote agriculture, literature, science, and art. He called attention to the need of so safeguarding the sale of public lands that the general public would benefit. Altogether, he mapped out a broad program of federal activity; after the manner of Franklin D. Roosevelt more than one hundred years later, he believed that the power and resources of the national government should be used to help the American people.

Adams's
Policies

These interesting proposals which Adams laid before Congress never received careful consideration. At the time most members were so much interested in the next Presidential election that they had little concern for anything else. Adams himself was partly responsible for the failure of his program. He urged his projects upon Congress in spite of the known opposition in the South to any such broad extension of federal authority, and he took no effective steps to overcome this opposition. If the national government could do all the things which Adams recommended, it might some time interfere with slavery. Adams did nothing to reassure the South on this point.

The first proof of united opposition to Adams appeared in the winter of 1825-1826, in connection with his proposal to send delegates to the Panama Congress. This gathering was to be composed of representatives from the Latin-American States, to work out a sort of Pan-American league of nations, as a defense against possible European aggression. The President's opponents urged Congress to make it impossible for American delegates to attend. Some of the southern leaders called attention to the possibility that the Pan-American Congress might take some action hostile to Negro slavery, and they too tried to keep American delegates away. At last in March, 1826, they voted to comply with the President's request, but their long delay wrecked his plan. One of the Americans died on the way to Panama, and the Congress adjourned before the other arrived. Perhaps the true nature of the episode is best revealed in a remark attributed to Martin Van Buren—who was neither a Southerner nor a slaveowner—"Yes, they have beaten us by a few votes, after a hard battle; but if they had only taken the other side and refused the mission, we should have had them."

Panama
Congress

During Adams's term two issues came into prominence, both of which had an important bearing on American politics and a profound effect upon

Disputes over
the Tariff

the administration of his successor: the tariff and the Georgia Indian problem. In 1824 Congress had passed a new tariff bill, a compromise measure which had not been satisfactory to anybody and which had been especially displeasing to the woolen interests. They had become steadily more important between 1820 and 1830 and the value of woolen products increased from \$2,500,000 in 1820 to over \$15,500,000 in 1831. New England manufacturers were beginning to demand more protection for this industry, while the sheep raisers were also pointing out their need of Congressional help. In 1827 a tariff bill was introduced, providing for the increased protection; it passed the House, but in the Senate it was defeated by the vote of the Vice-President, Calhoun. Beaten on this particular bill, the protectionists almost immediately went to work on another.

In the new Congress, the House committee introduced a bill so framed as to satisfy the producers of raw material, and to refuse the protection desired by New England. This measure was drawn up, not as an honest attempt to deal with an economic problem, but as a crafty political scheme. Southern representatives were opposed to protection, so they drafted a measure so distasteful to New England that members from that section would join with the South to defeat it. To the horror of the promoters of this program, enough New Englanders voted for the bill to put it through. This "tariff of abominations," satisfactory to only a small minority of the protectionists, drawn up only to be defeated, was placed on the statute books. John Randolph told the truth when he said that "the bill referred to manufactures of no sort of kind, but the manufacture of a President of the United States."

Calhoun's
Problem

Although largely responsible for passing it, southern leaders bitterly condemned the measure. They even talked about secession. When Calhoun went home from Washington, he found the people in his state in an uproar over the tariff. He set himself the task of working out a plan of opposition which would satisfy them and enable him to retain his political following. He succeeded, although he did so at the cost of sacrificing his original nationalistic philosophy. The explanation of his own change, and the remarkable shift of opinion in his own state, may be found in the heavy drop in the price of cotton. In 1816 the average price of standard upland, short staple cotton in New York was almost thirty cents a pound. At that time the political leaders of South Carolina were strong nationalists, favoring the broad program of the national system. By 1820 cotton had dropped to twenty cents, and by 1824 to less than fifteen cents. During these same years opinion in South Carolina turned sharply away from the national system and people in the state were attributing their economic hardships to the protective tariff, and demanding its repeal as unconstitutional. In 1827, when the price dropped to nine cents, the people of South Carolina were talking of nullification and possible rebellion. Calhoun found it necessary to change with his section; if he wished to stay in politics he would have to attack the

tariff. And yet, if he should attack the tariff openly, he knew that he would sacrifice political support in the middle states and in New England.

In the summer of 1828 Calhoun prepared a document, destined to see light as the report of a legislative committee, because it seemed hardly expedient for the Vice-President to proclaim the philosophy which he was considering. This was the South Carolina "Exposition," which for the first time put the doctrine of nullification into definite, systematic form. Arguing first that the tariff was unconstitutional, he went on to develop the theory that it operated as a heavy burden on the South, compelling that section to pay for the advantages received by the industrial North. The plantation owners had to buy practically all of their manufactured supplies, and Calhoun argued that the tariff compelled them to purchase in an unnecessarily high market. As a remedy for this expensive inequality in the operation of the tariff, Calhoun suggested nullification, the logical conclusion of the extreme states' rights doctrine. Each state, he reasoned, was entitled to determine for itself whether or not the federal government had exceeded its constitutional authority, and to prevent the law in question from operating within its limits, until three-fourths of the states had declared for or against it. By this means Calhoun hoped to provide a peaceful way to protect the states from unwarranted federal measures. Under his handling nullification developed into something more than a protest; it became a plan of action. Calhoun proposed it as an instrument to preserve the Union, but his successors used it to justify secession. Here was politics with an economic background, to be sure, but Calhoun could never capitalize this doctrine in terms of votes for the Presidency.

South
Carolina
Exposition

The other heritage was the Georgia Indian problem. In 1802 Georgia had ceded her unoccupied lands to the federal government, in return for \$1,250,000, plus the promise of the federal authorities to extinguish the Indian title throughout the state. As late as 1821 some of the best lands in the state were still in the possession of the Indians. In 1825 the government and the Indians signed the Treaty of Indian Springs, by which the Creeks ceded all their land to the state. Soon after the ratification of this treaty, the Creek chief who signed it was murdered, and the entire tribe repudiated the agreement. Governor Troup of Georgia prepared to survey the lands, and President Adams warned him to wait until new arrangements could be made. Troup refused to desist and threatened civil war in case the President should try to stop him by force.

Georgia
Indians

In 1826 Adams secured a new treaty with the Creeks, which ceded all but a small part of their lands and gave them until January 1, 1827, to withdraw. Then Georgia denied the right of the federal government to reopen the question, which from the point of view of the state had been settled by the Treaty of Indian Springs. Declaring that Georgia was sovereign on her own territory, Troup had the survey begun. Adams threatened the belligerent governor with the full weight of federal displeasure, and then laid the

matter before Congress. Congress, however, refused to authorize the use of force against the recalcitrant Georgians.

In 1827 the Cherokees in the same state declared themselves independent of all outside authority, state or federal. The Georgia legislature passed a law extending its jurisdiction over the whole Cherokee region, and the tribe appealed to Adams. His term expired before there was time to act, so Jackson inherited another serious problem.

The campaign of 1828 began in 1825, immediately after the House had chosen John Quincy Adams. During this interval Jackson's managers kept Jackson continually before the public, by means of receptions, public dinners, and functions all arranged with a view to the greatest publicity. Jackson newspapers advertised their candidate, not infrequently by resorting to scurrilous misrepresentations and actual falsehoods about Adams. Local committees were organized to round up Jackson voters.

Election of
1828

There were few issues in the campaign of 1828. Jackson profited from the personal unpopularity of Adams. Also, as the victim of the machine in 1824, and as the "candidate of the people" in 1828, he was able to capitalize the widespread, but rather vague demand for reform. More specifically, Jackson carried the Northwest, partly because of the desire of that section to defeat the eastern leaders who had been monopolizing the federal government, and partly because of his known attitude toward the Indians. The West wanted the Indians removed, and Jackson was the man to do it. In the Southwest, Jackson could stand on his own record against the Indians at Horseshoe Bend, against the British at New Orleans, and against the outlaws in Florida. In the older West, Kentucky, Missouri, and Tennessee, formerly Clay's bailiwick, Jackson swept the field, because Clay had supported the Bank and John Quincy Adams. Every electoral vote from all three sections of the West therefore went to Jackson.

In the South, the cotton sections favored Jackson, because they felt that he was opposed to the tariff. Then, too, his ticket was strengthened there because of the popularity of the vice-presidential candidate, Calhoun. The three other southern states, Virginia, North Carolina, and Maryland, the center of old-fashioned Jeffersonian democracy, voted for Jackson because he was supposed to favor states' rights. There was perhaps less enthusiasm here than in the "Cotton South" or in the West, and Maryland gave six electoral votes to Adams.

In the middle states Jackson secured all the electoral votes of Pennsylvania, and twenty out of the thirty-six of New York. This section was the stronghold of protectionism, and Jackson was popular because he was believed to favor the tariff. His managers had been most astute in leading each region to find in the "Old Hero" the very things they wanted. The fact that he drew votes from ardent protectionists and from violent opponents of the tariff did not greatly bother them. The main thing was to win

the election. In New England, Jackson got one electoral vote, from the state of Maine. The total electoral vote gave Jackson 178, and 83 for Adams.

The new West had at last risen to the level of the older sections, now that the West's leading citizen was President-elect of the United States. On March 4, 1829, thousands of Jackson's followers crowded into Washington to see him inaugurated. Some had traveled five hundred miles for the ceremony. After the inaugural at the Capitol the whole crowd swarmed over to the White House for the reception. Refreshments had been provided, but there were no police to preserve order, so the mob broke in, jostled the waiters, broke several thousand dollars' worth of glass and china, stood on the upholstered furniture in muddy boots, and ruined the carpets. Those unable to enter jammed so closely around the doors that the ones inside could not come out through the doors and had to leave by the windows. To the older leaders of a more dignified school, this manifestation of the spirit of the new democracy was discouraging.

Jackson was born in 1767 in South Carolina, and moved to Tennessee in his young manhood. In 1788 he was admitted to the bar, and later on he became a United States district attorney, and subsequently a judge. But he never knew very much law, and he never acquired a judicial habit of mind. During the War of 1812 he had defeated the Indians at Horse-shoe Bend, and the British at New Orleans. These events, as well as his experience in Florida, have been referred to before. By 1829 he had developed into a man of courtly bearing and for the most part of an agreeable temper, although he still displayed, on occasion, traces of that ungovernable rage which had made people fear him in his youth. He had little if any formal education, but he had acquired a good deal of self-discipline. Even if his state papers, in their original form, gave evidence of weakness in matters of spelling and grammatical construction, they gave emphatic proof of the power of clear and forcible expression. In his military career he had shown a tendency to decide quickly and to act readily; these traits stayed with him during his Presidency.

Jackson's
Character

JACKSONIAN DEMOCRACY

In selecting his Cabinet the new President had two aims: to surround himself with men who would not oppose him, and to exclude all adherents of Henry Clay. For Secretary of State, he picked Martin Van Buren of New York, the Democratic leader in that state, known politically as "the Little Magician." The others, Ingham of the Treasury, Branch of the Navy, Berrien, the Attorney-General, and Barry, the Postmaster-General, were not especially distinctive. Of John H. Eaton, the Secretary of War, more will be said later. If the Cabinet was weak, it had one advantage: it had no connection with the preceding administration.

Evidently Jackson himself had little confidence in his own Cabinet, for he almost discontinued the custom of holding Cabinet meetings. Instead of

relying upon the heads of departments for advice as his predecessors had done, he fell into the habit of turning to a small group of political friends, the "Kitchen Cabinet." The leading members of this inner circle were William B. Lewis, Jackson's friend and neighbor from Tennessee, Amos Kendall, Duff Green, and Isaac Hill. These last three were all "Jackson editors," newspaper men who had promoted his candidacy in 1828. In addition Jackson sought advice from his nephew, Andrew J. Donelson. These men were all able politicians, and they developed and organized the voters who saw in Jackson a great popular hero.

Jackson's inaugural outlined the policies in which he was interested, and the principles by which he expected to be guided. These were: due regard for the rights of the states, economy, the promotion of agriculture, commerce, manufactures, and internal improvements, a just and liberal treatment of the Indians, and reform in the civil service. As a whole the address was somewhat ambiguous and uncertain, necessarily so because of Jackson's position. He had put himself on record as approving protection and internal improvements, but he had become the leader of a party destined to oppose both these policies.

When Jackson arrived in Washington for his inauguration, he found there a small army of friends and admirers to help him celebrate the victory of the people. They were also present to look after their own interests. There was much talk about reform, about dismissing the advocates of corruption, the appointees of preceding Presidents. All this meant jobs and it behooved the hopeful to be on the ground. Jackson seems to have given considerable thought to the problem of the civil service. He was in favor of the law which Crawford had inspired, limiting the term of all appointees in the Treasury Department to four years, with the possibility of reappointment. Jackson wanted to extend this principle to all branches of the civil service. He was not pleased with the attitude of some of the clerks: "Now, every man who has been in office a few years, believes he has a life estate in it, a vested right, and if it has been held twenty years or upwards, not only a vested right, but that it ought to descend to his children, and if no children then to the next of kin. This is not the principles (*sic*) of our government. It is rotation in office that will perpetuate our liberty." Conditions in the War Department gave point to Jackson's complaints. It contained so many old men that Washington gossips branded it "the octogenarian department."

In the rough first draft of his inaugural Jackson characterized the selection of federal civil servants as one of the President's most important duties. "It shall be my care," he wrote, "to fill the various offices at the disposal of the Executive with individuals uniting as far as possible the qualifications of the head and heart, always recollecting that in a free government the demand for moral qualities should be made superior to that of talents."

Jackson's reference to reform in the civil service spread terror among the office-holders. Many of them, especially in the capital, had acquired a sort

of prescriptive right to their places. Some had been appointed by President Washington. On March 17, 1829, the administration began to "clean house." Clerks grown old in the service were removed, without warning, and without any assigned reason. In selecting the new incumbents, only one test was considered: loyalty to Jackson. Ability, training, fitness, all went into the discard to make way for political favoritism. Jackson himself explained his policy in different terms. In defending his course in giving places to so many of the men who had worked for his election, he wrote: "And to what motive other than the love of country and the exercise of a sound judgment could their course be ascribed?" He was convinced, as he himself wrote, that the editors who demanded his election were actuated by "the same generous and patriotic impulse that the people were."

Although the new policy brought panic into the minds of the bureaucracy, it was not a clean sweep. The number of removals would have seemed comparatively small to Lincoln, Grant, or Garfield later on. Taking all the offices in the civil service together, probably not more than a third of the total were directly affected. Even so, the number of dismissals, along with the constant threat of more to follow, kept the appointees in a state of uncomfortable anxiety.

After 1830 the excitement over this question practically disappeared, but by that time certain new precedents had been established. In some of the states, notably New York and Pennsylvania, it had long been customary to use the state offices as rewards for political activity. Politics had become a profession there, demanding the full time of the leaders. But not even a politician could live without income; therefore the party in power distributed jobs to the workers, with a definite understanding that the responsibilities of the office might be left to subordinates, while the holder of it devoted his time to electioneering or other political activity.

The Spoils
System

Under Jackson this system was nationalized. As President, he was the leader, not at first of a genuine party, but of a heterogeneous group of followers, all fired by enthusiasm for him, but all loosely strung together. It became the duty of the "Kitchen Cabinet" to whip these admirers into a regular party organization, and to this end the patronage, or control of the positions, could be used to the best advantage. Every postmaster and customs house collector might be made a local agent of the new machine, devoting himself to work for his party. And, because these lieutenants made their living by grace of the organization, it became their duty to contribute a portion, perhaps 5 per cent, of their salaries, to the party campaign chest. These were the main outlines of the spoils system, the dedication of the offices to the ends of party politics.

After the manner of other notable men in public life, Jackson was not greatly concerned over minor matters of consistency. Before his inauguration, while he was still complaining of Adams's choice of Clay for Secretary of State, Jackson had asked for a constitutional amendment forbidding a

President to appoint Congressmen or Senators to his Cabinet. But once in office, Jackson selected five of the six members of his own Cabinet from Congress. As Samuel Hopkins Adams wrote later about President Harding: "Friendship in politics undermines more principles than fraud, and gratitude is a worse poison than graft."

Many of his new appointees were no better than the ones displaced. One of the President's loyal friends was horrified at the conditions prevailing in the Treasury Department. "Talk of reform! The departments are full of the laziest clerks, and men are paid large salaries for neglecting the public business." These men, however, understood politics and created an effective political organization. From this point of view their chief business was to strengthen Jackson's political following so that he could be sure of a second term.

The victory of the "Old Hero" in 1828 had been made possible by an alliance between Jackson and Calhoun, both strong men, both leaders in their respective sections. Because of Jackson's lack of experience in politics, Calhoun confidently expected to manage the administration for four years, and then to become President in 1832. But neither Jackson nor his friends had any intention of giving Calhoun his own way. Instead of running the government, Calhoun found himself pushed more and more into the background and eventually forced out of the party. The break between the two men occurred in the spring of 1830. Calhoun's friends were dropped from the administration and Martin Van Buren of New York became Jackson's chief adviser. It is difficult to tell how much of this break was due to Van Buren's own political maneuvering, how much to Jackson's increasing dislike of Calhoun, and how much to the affair of Mrs. John B. Eaton, formerly Mrs. Timberlake, better known by her maiden name of Peggy O'Neal.

For some reason Jackson had long been suspicious of the good faith of Calhoun, and these suspicions were confirmed by a letter written by Crawford, in which Crawford asseverated that Calhoun, as Secretary of War, had advocated punishment for Jackson on account of his high-handed proceedings in Florida. The President had considered Calhoun as his friend at the time, and would have continued to do so, had it not been for the machinations of Lewis, Van Buren, and other manipulators. They wanted to bring about a break between the two men in order to ruin Calhoun's prospects for the Presidency. When the Crawford letter appeared, Jackson asked for an explanation. Calhoun could not very well give any, except to justify his stand in 1818 and to criticize Crawford for publishing a Cabinet secret. To Jackson any criticism of his acts or any opposition was always equivalent to a personal insult. After reading Calhoun's attempt at self-justification, he broke off relations, informing the Vice-President, in words that bite even at the present time that "no further communication with you on this subject is necessary."

Shortly after Jackson excommunicated Calhoun, the Cabinet began to break up, due partly to the President's determination to get rid of Calhoun's friends, and partly to a dispute over the social status of Mrs. Eaton. She was a handsome young woman of vivacity and charm, with enough unconventionality to make her all the more alluring to her admirers. In this group were some of the best-known men in Washington, including not only Jackson but even Daniel Webster. She was the daughter of a Washington boardinghouse keeper, and her sudden elevation to the rank of a Cabinet member's wife provided Washington with a delightful scandal. In such matters men, left to themselves, are considerably more catholic in their tastes and charitable in their judgments than women. They could forgive a good deal in anyone so fascinating as the sprightly Peggy. It may be that this masculine tolerance confirmed the wives of the other Cabinet members in their determination to ostracize Mrs. Eaton. In any case they did so, and in doing so they were led by the wife of the Vice-President, Mrs. John C. Calhoun. Mrs. Calhoun represented the aristocracy of Charleston, South Carolina. Jackson was convinced that the wife of his Secretary of War was the victim of injustice and he ordered his advisers to pay due respect to the injured beauty. Because of the danger of domestic insurrections most of them had to refuse. Van Buren, however, was a widower, untrammelled in his social maneuvers, and consequently free to treat Mrs. Eaton with gallant courtesy. He won the instant and lasting regard of Jackson, while his less fortunate colleagues were soon set adrift. Even Van Buren resigned from the Cabinet, but with Jackson's approval, in order to become candidate for the Vice-Presidency. In getting rid of his first Cabinet, Jackson was able to secure men more directly in sympathy with him and his measures, and in that way to promote party unity. The fall of Calhoun and the rise of Van Buren showed that the work of constructing a new party was nearly completed. Van Buren, however, was no more directly connected with the interests of the West and South than was John Quincy Adams.

Jackson's Triumph

NATIONALISM AND STATES' RIGHTS

ALTHOUGH Jackson's administration was concerned primarily with American problems, there were in both his first and second terms important developments in foreign affairs. At the very beginning of his first term Jackson became interested in the old question of the West Indian trade. Ever since 1783 this branch of commerce, formerly so profitable to American merchants, had been closed to American shipping. During the early 1820's the British and American governments both had made efforts to reopen this commerce, but no results were achieved. In 1829 direct trade between the West Indies and the United States was impossible for either English or American ships.

In this year Jackson's new minister to England began negotiations looking toward the resumption of trade relations in this area. Then in his first annual message to Congress Jackson spoke in flattering terms of Great Britain, and pointed out that with her "we may look forward to years of peaceful, honorable, and elevated competition." Following the lead of the President, Congress gave Jackson the power to open American ports to British ships from the West Indies, on condition that British West Indian ports should be opened to American ships. In case the British should reject this overture, Jackson was prepared to retaliate with a non-intercourse policy with Canada. At this very time Huskisson in England was trying to convert the Tories to a policy of free trade and the British were in a mood for concessions. Negotiations were successful and in October, 1830, the President issued a proclamation announcing that direct trade was reopened. This arrangement allowed American ships to carry products of the United States to the West Indies and to bring West Indian products to the United States. It will be noted, however, that the overseas carrying trade in West Indian products, which had been so profitable in colonial times, was not reopened to American ships. Even without the carrying trade the new concessions proved valuable to American merchants and producers. In the course of a single year exports from the United States to the West Indies increased from a value of \$140 to \$1,439,593; during the same year imports from the West Indies to this country went up from \$101,843 to \$873,855.

In domestic policy Jackson and his advisers were interested as much in political strategy as in reform; this was particularly evident in the estab-

lishment of the spoils system. In dealing with internal improvements there was the same sort of emphasis on politics rather than economic interests. Internal improvements had been a favorite policy in the West, but this policy was associated with the name of Henry Clay. Since any achievements in this field would have redounded to Clay's advantage, Jackson would not endorse internal improvements. In 1830 Congress passed a bill for constructing the Maysville road, in the State of Kentucky. Jackson vetoed this measure and later he defeated other road and canal projects in the same way.

Internal
Improvements

Jackson inherited one problem involving the great controversy over the respective powers of the central government and the states. This was the dispute between the Indians and the state of Georgia. In dealing with the Creek lands, Governor Troup had defied the United States government, and President John Quincy Adams had been unable to call him or his state to account. In the meantime the Cherokees had carried their troubles to the federal Supreme Court. In the case of the Cherokee Nation *vs.* Georgia, Marshall had decided that the tribe was not a foreign nation, and that it could not sue as such in any federal court. In an *obiter dictum* he described the Cherokees as a "domestic dependent nation," and declared that the courts and the states were bound to uphold acts of the federal government concerning the Cherokees. The court did nothing to uphold the claim of Georgia to the Cherokee lands, and the only logical course for the government to follow was to protect the Indians. But it refused to do so.

A closely related issue appeared in still another dispute between the state of Georgia and the Cherokee Indians. In December, 1830, the legislature of Georgia prohibited white persons from living within the Cherokee area without a license signed by the governor. A Presbyterian missionary by the name of Worcester was arrested for violation of this law. He was undeniably guilty and one of the Georgia courts sentenced him to four years' imprisonment. Worcester then appealed to the federal Supreme Court. In the decision in the case of Worcester *vs.* Georgia Chief Justice Marshall ruled that the laws of Georgia were not in effect in the Cherokee section, and also that the particular statute was unconstitutional. The court then ordered the Georgia authorities to release Worcester. The state refused to comply and President Jackson made no effort to uphold the authority of the court. "John Marshall has made his decision," Jackson is alleged to have said, "now let him enforce it!" In 1830 and again in 1832 the state openly defied the authority of the federal Supreme Court. Jackson sympathized with the state rather than with the Indians, and so did practically all of his admirers in the South and West. Anything that opened up the lands to white settlement looked good to them, regardless of unpleasant legal complications.

Georgia and
the Indians

In 1830 this same issue, in different form, came up for discussion in the United States Senate, in the Webster-Hayne debate. The arguments on the two sides became for years to come the standard authorities, one for states'

Webster and
Hayne

rights, the other for nationalism. As so often happens, the discussion began on a different, and apparently unrelated subject. Late in December, 1829, Senator Samuel A. Foote of Connecticut introduced a resolution calling upon the committee on public lands to consider the expediency of limiting sales of lands to those already on the market. Benton of Missouri promptly objected, on the ground that the resolution was really an attack upon the West, designed to check the further growth of the new section. In the discussion which followed the southern Senators came to the assistance of the West, in opposing the restrictionists from the East. Finally Hayne of South Carolina introduced the doctrine of states' rights, and the subject-matter of the debate shifted from public lands and the West to the proper status of the federal government. At this point Daniel Webster entered the contest, in opposition to Hayne.

Hayne raised the question of nationalism by pointing out in general the dangers of consolidation, and in particular the unfairness of the tariff, basing his arguments on Calhoun's "South Carolina Exposition." This theory of states' rights and nullification, he insisted, was the traditional American doctrine, in earlier years accepted almost everywhere throughout the Union.

Webster's answer, the "Reply to Hayne," was an able exposition of federal supremacy. Taking up Hayne's theory that the states possessed the ultimate authority to pass judgment upon acts of the federal Congress, and to decide whether or not they were constitutional, Webster replied with an emphatic denial. Only by resort to revolution, he said, could a state get around federal law. Between obedience and open rebellion there could be no middle ground. Then he proceeded to argue that Hayne's conclusions were based upon a complete misapprehension of the nature of the federal system. According to Hayne, the federal government was merely the agent of the states, created by them, subordinate to their wishes. Webster insisted that the federal government was the people's government. The state legislatures, he said, were not sovereign over the people, because the people had chosen to place sovereignty elsewhere, namely in the federal government. The Constitution therefore restricted the rights of the states, and no state could of its own accord rightfully throw off those restrictions. If differences of opinion arose over federal acts, the Supreme Court was the proper tribunal to settle them. If the people disapproved of anything in the Constitution, they might amend it, but until they did so, it, and the acts of Congress passed in accordance therewith, remained the supreme law of the land.

Was it possible that Webster had forgotten the occasion, just a little more than sixteen years before, when he had devoted his extraordinary powers to the task of opposing the conscription law for the War of 1812, and when he had openly threatened, if the proposed measure passed, to urge upon his constituents a resort to nullification? In 1814 Webster stood upon the same ground occupied by Hayne in 1830, and he used the same theories to support his position. The history of the United States shows that Webster's

argument in 1830 had a comparatively slight factual foundation, and that historically he had been right in 1814. His theory that the Constitution of the United States was the work of "the people" was largely the product of his imagination, fortified of course by the forceful reasoning of John Marshall. In the light of the record, Hayne was right and Webster wrong.

Although Webster's reply was at variance with the facts of the past, it was in harmony with practices as they were, and therein lay its strength. Because of the growth of the West, the industrial development of the East, and the decisions of the Supreme Court, there had come into existence a new attitude toward the federal government. It had been weak in the beginning, and the states strong, but the very fact of its existence made necessary a shifting of the balance. If it was to function as a government, its measures must prevail, in spite of local opposition. For that very reason its authority continued to grow, until it was bound to overshadow the states. By 1830, the point had been reached where shrewd observers were aware of the tendency, and they altered their convictions, if need be, to make them fit the new situation. In the narrow sense of the word, Webster was inconsistent, but so were the objective facts with which he had to deal. He was growing up with the times, and, whether the growth was good or bad, sound or unsound, it had created a condition which had to be faced. It is perhaps a tribute to Webster's sanity, if not to his greatness, that he could see facts as they were, and cut his philosophy to fit them. Webster's constituents in Massachusetts had changed their minds on this subject, and Webster changed with them.

The New
Nationalism

While Webster was putting himself in harmony with the growth of the nation, Hayne and Calhoun were influenced by local conditions in their own section. In trying to remedy matters at home they attempted to stop the course of this nationalistic development. Calhoun in particular changed his philosophy as completely as Webster changed his, but in the opposite direction. For the future Calhoun was the great champion of states' rights.

Shortly after this philosophical discussion of nationalism versus states' rights, the country was furnished with a practical demonstration of the working of the two theories, in which the logic of Webster's stand was made plain. In South Carolina, where the tariff had long been a source of uneasiness and ill-feeling, the objectionable measure of 1828 had aroused the state almost to the pitch of open opposition. In 1832 a new measure was passed, a decided improvement over its predecessor, but nevertheless a grievance to South Carolina because it embodied the protective principle. Convinced that all hope of relief from Congress had disappeared, the state determined to put Calhoun's theory of nullification or "interposition" into practice. That became the issue in the state election of 1832, and the nullifiers won. The state legislature assembled in October, and both houses passed a bill providing for a special state convention. On November 19, this body met at Columbia, with a heavy majority in favor of nullification. Five

Nullification
in South
Carolina

days later it adopted the Ordinance "to nullify certain acts of the Congress of the United States, purporting to be laws, laying duties and imposts on the importation of foreign commodities." This document declared the Acts of 1828 and 1832 null and void, and without binding force within the state. No case arising under the tariff was to be appealed to federal courts, and all state officers were required to take an oath to uphold the state. If the federal government should attempt to use force, South Carolina threatened to secede. No act of defiance could have been phrased more bluntly: "We will not submit to the application of force, on the part of the Federal Government, to reduce this State to obedience . . . we will consider the passage, by Congress, of any act authorizing the employment of a military or naval force against the State of South Carolina, her constituted authorities or citizens . . . as inconsistent with the longer continuance of South Carolina in the Union . . . the People of this State will thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connection with the people of the other states, and will forthwith proceed to organize a separate government, and to do all other acts and things which sovereign and independent States may of right do."

Jackson in the meantime kept in close touch with affairs in South Carolina. On November 7, 1832, he had the garrison at Fort Moultrie increased and on November 18 he sent General Scott to the state. On December 10, strengthened by the assurance of his overwhelming majority for a second term, Jackson issued a stirring proclamation to the people of South Carolina:

I consider the power to annul a law of the United States, assumed by one State, incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed.

If force should become necessary, he wrote to a friend, he was prepared to send forty thousand troops into South Carolina.

The dispute was not permitted to reach the stage of civil war. While Congress was at work on a "force bill," giving the President the necessary authority to ply the recalcitrant state with the kind of argument most generally understood, Clay introduced a compromise tariff. This measure provided that when the duties exceeded 20 per cent, the excess should be gradually reduced, one-tenth in 1833, another tenth two years later, and one-tenth every second year until 1841, with other reductions in 1842. With the help of Calhoun, now disturbed at the turn of affairs, the bill was passed. On the same day, March 1, the force bill became law. In view of the prospect of tariff reform, the South Carolina radicals, left with no support from the other states, first suspended their ordinance of nullification, and then repealed it entirely.

South Carolina did not nullify an act of Congress, but her policy forced

a reduction in tariff rates. The federal government did not use force, because South Carolina's surrender made drastic action unnecessary. Because of this mode of settlement, neither side won a clean-cut victory. If there was an advantage on either side, perhaps the decision would go, on points, to the federal power, because it came out of the contest with increased prestige.

PARTY ISSUES AND POLITICAL ORGANIZATION

The attainment of something like party solidarity during the first term was hastened by Jackson's attitude toward the Second Bank of the United States. It provided what had heretofore been wanting, a definite, tangible, concrete issue upon which politicians could seize, and out of which they could get a slogan to arouse the voters. Chartered in 1816, the Bank had not been entirely happy during its first few years. Bad management brought embarrassments, and popular opposition seemed almost to threaten its very life. Had it not been for the Supreme Court, in its *McCulloch vs. Maryland* decision, the Bank would have been taxed to death in the southern and western states. Under Cheves, and later under Biddle, the Bank became a success.

The Bank in
Politics

In his first annual message Jackson referred to the approaching end of the Bank's charter, and remarked that both "the constitutionality and the expediency" of the law creating the institution had been seriously questioned. Both the President and his followers in the West were opposed to the Bank, partly on the ground that it had been a financial success, partly because of the conservatism of the officers. Furthermore the Bank was a great monopoly, with more power than was good for it or for the people. According to rumor, zealously circulated by Kendall, Hill, and Blair, the Kitchen Cabinet group, the Bank had used its influence against Jackson in the campaign of 1828. Jackson knew that some of his political foes were heavy borrowers at the Bank. He also knew that the Bank lent money to Congressmen, on liberal terms, and he was convinced that the Bank wanted political favors in return.

Just why, or even just when Jackson decided to make the Bank an issue is not clear. In any case, he was pondering over the matter in 1829, and he raised the question again in 1831. Because of the effect of the President's questioning upon business, Biddle, the Bank's president, determined to settle the controversy by applying for a new charter. He did so in January, 1832. A bill for a recharter was introduced in the House in March and passed in July, by narrow majorities. On July 10, Jackson vetoed the bill.

Jackson At-
tacks the
Bank

From the standpoint of banking and economics the veto message was ludicrous. But Jackson did not pretend to be a financial expert. He was a popular politician, and there was good political capital to be derived from an attack upon the great monopoly. As a move in campaign strategy, the message was a remarkable document. In addition to attacking the monopoly

features, Jackson calmly put to one side the decision of the Supreme Court concerning the constitutionality of the Bank. No statement of that body, he declared, was necessarily binding upon either the executive or the legislature.

The veto message also gave Jackson the opportunity to outline certain principles of his social philosophy, particularly with reference to the relationship between government and private business. The bill for the re-charter would not only continue a harmful monopoly but it would add greatly to the wealth of the stockholders. The government was under no obligation to grant such profitable favors. He warned Congress that the renewal of the charter would be "an abandonment of the legitimate objects of Government by our national legislation." He complained because: "Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by an act of Congress."

Nomination
for a Second
Term

In the veto message, therefore, Jackson gave formal expression to the doctrine of executive infallibility in judging the work of Congress and of the Court, and he warned against the use of government to promote private wealth. At the same time he made the Bank the leading issue in the Presidential campaign of 1832. This brought him support in the West and South, where the Bank had been especially unpopular. His Indian policy, especially his failure to act when the state of Georgia repudiated the Supreme Court, made him even more popular in the South. The break with Calhoun strengthened him, because it freed him from any show of dependence upon a popular leader and possible rival. Whatever he lost in dropping Calhoun was more than made good by his Indian policy.

Jackson's nomination for a second term was inevitable. He was sure of that, anyway, but it came to him in a somewhat different manner from the earlier one. His victory in 1828 had been a personal triumph, secured with the help of able individuals, but without the agency of a regular party. By 1832 Jackson had a real party behind him, a new Democratic organization.

Anti-Masonry

In the campaign of 1832 certain extraneous issues appeared, destined to leave a lasting mark on party activity. In 1826 one William Morgan, a New Yorker, had mysteriously disappeared. He had published a book, purporting to reveal the secrets of Freemasonry, and the public assumed that the order had made away with him. Out of this belief there grew up a widespread opposition to secret societies of any kind. Greek letter societies, in colleges, including even the eminently proper, innocuous Phi Beta Kappa, all came under the ban. Masons, according to report, so completely controlled the judicial machinery of the country that no Mason could ever be punished for crime. No jury dared to convict, and no judge would sentence a brother of the order. Public feeling became bitter, and insisted that all such orders, and especially the Masons, must go. The excitement was carried over into politics, and an anti-Masonic political party was formed, dedicated to the destruction of the great fraternal organization.

This party would have achieved temporary notoriety from its attacks

upon the Masons, but there was little in its objectives to give it lasting strength. It did acquire fame, however, because it introduced the national party convention to take the place of the discredited and discarded caucus. On September 26, 1831, delegates of the party met at Baltimore, to nominate candidates for President and Vice-President. Their standard bearer was William Wirt, of Maryland, a Mason in former days, possibly one in good standing when he was given the nomination. In any case he had the courage to defend the order in the very convention pledged to its destruction. It may be that in nominating him, the anti-Masons hoped to draw votes from those who were opposed to both Clay and Jackson, regardless of their standing on Freemasonry; while the platform would appeal to the opponents, the candidate might appeal to the friends of the society.

National Party
Conventions

On December 12, 1831, a convention of so-called National Republicans met at Baltimore. They were the followers of Adams and Clay, loose constructionists who advocated a protective tariff, internal improvements and the Bank. This group nominated Henry Clay, formerly the idol of the West.

The Jacksonian Democrats held their first convention at Baltimore in May, 1832. While Jackson's nomination was a foregone conclusion, there was doubt concerning his running mate. He preferred Van Buren, but outside of his own state the "Little Magician" had no particular following, and he was especially disliked in Pennsylvania. The convention was under the control of the Kitchen Cabinet, and thanks to their foresight Van Buren received the nomination on the first ballot. They brought about the adoption of the two-thirds rule, which incidentally the party retained until 1936. There were various candidates for the nomination, but Van Buren was the only one able to command the necessary two-thirds. In Van Buren's success personalities and politics again triumphed over economics. In the popular vote Jackson ran nearly one hundred and sixty thousand ahead of Clay, while the electoral vote stood: Jackson 219, Clay 49, Floyd 11 (the whole South Carolina vote), Wirt 7.

It is probable that this proof of support strengthened Jackson in his determination to force South Carolina to back down, and it is certain that it gave the President the support he wanted in dealing with the Bank. His attack upon this institution became the outstanding feature of his second term. Although the Bank's charter did not expire until 1836, Jackson determined upon an immediate divorce of it from the government. The charter made the Bank the depository of federal funds, unless the Secretary of the Treasury should order otherwise. Jackson planned to withdraw the deposits. His Secretary of Treasury, McLane, refused to take part in the program, so he was promoted to the State Department. His successor was William J. Duane, appointed for the express purpose of carrying out Jackson's orders regarding the Bank. Duane, however, refused to comply without first getting the approval of Congress, and he was compelled to give way to Roger B. Taney. This third incumbent was in sympathy with his chief.

Removal of
Deposits

Late in September, 1833, Taney announced that the Girard Bank of Philadelphia would become the government depository. By the end of the year twenty-three banks had been selected to assist the government in handling its funds. The deposits were not actually withdrawn from the Bank of the United States, in the sense that they were taken out and placed elsewhere. No new deposits were made and the money already in the Bank was gradually drawn out, in the ordinary course of business.

In the annual message of December, 1833, Jackson referred to these proceedings, thereby giving Congress an opportunity to strike back at him. The Senate, which had an anti-Jackson majority, asked for a copy of Jackson's statement to his Cabinet, regarding the removal of deposits. Jackson refused the request, in a communication full of that exasperating scorn which he was able to use so well. This started a three months' debate, culminating in the Senate resolution of censure, which declared that Taney's reasons for the removal of the deposits were unsatisfactory and insufficient, and that the President had assumed authority not conferred by the Constitution or the laws. Jackson protested formally against the censure, and, after a long dispute, in January, 1837, under Benton's leadership, the Senate voted to expunge the resolutions from its Journal. This final step closed the controversy over the Bank, sometimes described as the greatest episode in Jackson's administration.

Removal of the Indians

Among other measures of Jackson's second term, the Indian policy is one of the more important. From the beginning, Jackson himself had been committed to some project of removal, and he referred to it in a number of messages. Regretting that the step was necessary, he and his supporters argued that the Indians could not be allowed to impede the progress of white settlement and civilization. In June, 1834, Congress provided for the creation of an Indian territory west of the Mississippi River. The process of removal went on rapidly. In December, 1835, Jackson announced that except for two small groups in Ohio and Indiana, not more than fifteen hundred in number, and the Cherokees, all the tribes east of the Mississippi had made an agreement regarding removal. By 1837 ninety-four Indian treaties had been concluded, for the most part ceding Indian lands to the United States.

Claims Against France

Before the end of his second term Jackson enjoyed one more triumph in foreign affairs. In 1831 the United States and France had come to an agreement by which the French government had consented to pay 25,000,000 francs, in full settlement of the claims of American citizens, while the United States was to pay 1,500,000 francs. The treaty was ratified in February, 1832. The actual fulfillment of the treaty depended upon an appropriation by the French legislature, but because the treaty was unpopular this had not been made. In 1834, Jackson recommended reprisals on French property, in case the French legislature still refused to act. This message caused considerable ill-feeling in France, but in 1835 the legislature finally

made the appropriation, on condition that some of Jackson's remarks be satisfactorily explained. Jackson refused to make any apologies, and again urged reprisals. He did, however, suggest that subjects in a President's message were purely domestic concerns, and the French government was willing to accept this as satisfactory. The matter was soon adjusted, and France paid the money. The other important foreign problem, in connection with Texas, will be dealt with in connection with the addition of that country to the United States.

By the end of his second term Jackson and his friends had created a powerful political party with a network of local committees and of federal office-holders extending over the whole country. Though its greatest source of strength was still the West, it had powerful adherents also in New York and Pennsylvania. The Democrats held their national convention in 1835, supposedly of delegates "fresh from the people." There were some queer irregularities in it but the delegates at least knew whom they wanted to nominate: Martin Van Buren of New York. In this convention Maryland had 181 delegates, while Tennessee had none. But a citizen of Tennessee who happened to be visiting in Baltimore when the convention met presented himself as a delegate, was duly admitted, and cast fifteen votes for Van Buren. Newspapers at the time commented on the large number of federal office-holders in the convention. Van Buren received the nomination, as Jackson had planned.

During this same period, however, the various elements in the opposition were knit together into a political party. They called themselves Whigs, in imitation of those eighteenth-century Englishmen and Americans who opposed the tyranny of King George III. From their point of view Jackson was a tyrant as dangerous to the liberties of America as George III had been in 1776. He was determined to have his own way regardless of the Constitution and the laws. One hundred years later people were making similar charges against another Democratic President, only in these later days they used the term "dictator." Jackson's foes liked to think of themselves as champions of the cause of law, order, and the rights of the people, fighting against the great oppressor.

The term "Whig" was first used in this sense in 1834, in Connecticut and New York, and in this same year the Whig party was formally organized. The operations of the Whigs at this time bring out some of the peculiar features in American politics. Under that caption were included a far more heterogeneous mixture than that under the Jackson banner in 1828. The most conspicuous subdivision, or better the nucleus of the new party, was the group of national Republicans, or the Adams-Clay-Webster following, noted for their advocacy of a national bank and a protective tariff. At the other extreme were the determined states' rights element, which repudiated Jackson because he had threatened the South Carolina nullifiers with violence. Many of the anti-Masons drifted into the Whig party, as did

Jacksonian
Democrats
versus Whigs

Whig
Factions

various voters who feared Jackson's "tyranny." So diverse were these elements that they were never really consolidated. As a party the Whigs had few if any principles; they were neither radical nor conservative; they merely opposed Jackson. Under ordinary conditions there would have been nothing to hold the factions together. But the spoils system had brought in a new dispensation in politics, and the desire for federal jobs took the place of agreement on issues and leaders. The Whigs wanted the plums and that desire alone kept the party intact for over sixteen years.

This second element illustrated the remark made by an English writer when he mentioned "the cohesive power of public plunder." Because of their internal weaknesses the Whigs did not even hold a national convention, and they could not agree upon a candidate. In Pennsylvania the Whigs nominated and voted for William Henry Harrison, the hero of the old Northwest; in Massachusetts the Whigs voted for Daniel Webster. Never before nor since has one party spread its vote among so many different candidates. In Ohio the Whig choice was Judge McLean, in North Carolina it was Willie Mangum, in Tennessee it was Hugh L. White.

In the election the Democratic managers used their control of the patronage to enforce strict party discipline. Politicians who had any interest in federal jobs had to get out and work for Van Buren. Twenty-six states took part in the election. Of the popular vote Van Buren received 762,978, while all the Whig candidates together received 736,250. Of the total electoral vote of 294, Van Buren had 170, while Harrison, the leading Whig, polled 73. Jackson's triumph was complete, because he saw his own candidate installed in the White House as his successor.

Van Buren and Tyler

PANIC OF 1837

A NUMBER of circumstances have combined to give Martin Van Buren a low rank among the Presidents of the United States. As the choice of Jackson he incurred the bitterness of the Whigs, many of whom were in a position to give wide publicity to their views. As one of the pioneer national spoilsmen he has long been anathema to the reformers. As a machine-made President he entered office with little popular support, and as chief executive during an economic depression he was held responsible for the period of hard times. Under that handicap it would have taken a genius to achieve success, and Van Buren was no genius. He was, however, a courteous, affable gentleman, and a man of considerably more than average education and ability. His misfortunes were the product of forces beyond his control, although he and his predecessor may have been partly responsible for shaping some of those forces.

Van Buren as
President

The outstanding feature of Van Buren's single term was the panic of 1837, one of those serious economic crashes which have occasionally tormented the country. The causes of this collapse are to be found partly in the history of private economic enterprise; in excessive investments by the state governments in roads and canals; in banking practices and in widespread speculation, particularly in land; and in a financial crisis in Europe.

The general characteristic of the time was business on borrowed money. Men went into debt to build factories, to buy land, to buy slaves. In the prevailing enthusiasm for internal improvements state governments spent money liberally, and borrowed when their current revenues were exhausted. Some of these loans were made by American citizens, some by foreign investors. Because of the widespread demands for capital interest rates were high, 2 or even 4 per cent a month. Security for these loans was given in the form of bonds payable in thirty, forty, or fifty years. Had the investments been even moderately profitable the states would have had no difficulty in meeting their obligations, but many of the canals never paid a profit and investments in them were a substantial loss. It is difficult to show how deeply the states ran into debt without giving some specific examples. Before 1820, while road building was still looked on as a private enterprise, all the states were practically free from debt. In that year, 1820, the total debt of the borrowing states amounted to only \$13,000,000. By 1835 the

total debt had risen to more than \$66,000,000. In 1838 the debt figure stood at \$170,000,000. When the financial crash came, some of the states repudiated their debts.

**Credit and
Banking**

Many of the financial problems of the time were inseparably connected with banking methods. When the government ceased to use the Bank of the United States, it used a number of selected state banks as depositories. On the whole these seem to have been carefully managed, and in spite of the tales of favoritism and "wild-cat" methods, they were reasonably sound. But the approaching end of the national Bank gave an impetus to local banks of all kinds, and many of these new ones were everything that banks ought not to be. Started with little capital and less specie, they ran riot in issuing notes and in making loans. Between 1829 and 1837 the number of banks increased from 329 to 788, while the total capitalization increased only from \$110,000,000 to \$290,000,000. The loans went up from \$137,000,000 to \$525,000,000 and their note circulation from \$48,000,000 to \$149,000,000.

In the wave of speculation then spreading over the whole country, this plunge into loose banking was both cause and effect. Money was "easy," and business on credit underwent a rapid expansion. The times had never been more encouraging to daring adventures in risky business. Partly as a result of the reopening of the West Indian trade, American commerce was growing rapidly. Prices were moving upward, people had money to spend, and everything pointed toward an era of extraordinary prosperity.

**Distribution
of the Surplus**

At this time, when the country was demanding a larger volume of money in circulation, the federal government almost impounded the available cash. The public debt was entirely paid and because income exceeded expenditures, the federal treasury was actually accumulating a surplus. Although the funds so held were on deposit in local banks where they could be used as the basis for note issues and loans, a portion had to be kept as reserve. In order to get rid of this surplus, in 1836 Congress passed an act providing for the distribution of it among the states. According to the law, the whole amount, nearly \$37,500,000, was to be paid over in the form of a loan, in four installments. The apportionment was based upon population, so that New York got the largest share, approximately \$5,500,000, while Michigan and Delaware each drew a little over \$380,000. Only three payments were made, however, because the panic of 1837 plunged the treasury into a deficit. Theoretically loans, the sums paid were actually gifts, to be used by the states as they saw fit. Many of them applied the money on internal improvements and then borrowed heavily to complete the work. Thus the distribution of the surplus encouraged the tendency to extensive speculation. For a few years before the panic much of the business was pure speculation, that is, buying not for use but in the hope of future profits. And nowhere was this spirit of speculation illustrated more vividly than in the sales of public land. For several years the annual receipts from public land sales had averaged about \$1,880,000. In 1836 they amounted to the startling figure of \$24,-

877,000. Most of this business was done not with cash but with bank notes.

A man would borrow a hundred dollars in bank notes on his own personal note as security; with public land in the West selling at \$1.25 per acre he would buy eighty acres. His purchase might be miles from any settlement, but that did not matter. He would lay out his land in streets and building lots, and his wild land immediately became town property worth ten times what he paid for it. Then he would go to a bank, put up his eighty acres as security, and borrow a thousand dollars. This time he would buy eight hundred acres; by splitting this into streets and lots, and so creating new security, he could borrow ten thousand dollars, and so on, piling up a huge inverted pyramid of bank credit without having used a cent of actual cash. By this process a man could acquire title to thousands of acres. He would buy in the hope of a tremendous rise in land values, so that he could sell out at top prices and meet his obligations at the banks. The government land agents deposited these notes at the banks, whence they were lent out again. When the banks began to fail, these deposits melted away.

Speculation

In 1836 President Jackson became alarmed over the large volume of public land sales on credit. In an effort to stop it he issued the "specie circular," which ordered the land offices to accept nothing but hard money in payment for public land. Bank notes were no longer acceptable. The "specie circular" ruined the bank notes, nearly wrecked bank deposits, and put a sudden stop to business activity. The time had almost come for the top-heavy pyramids of paper credit to collapse.

Wild speculation in land was one evidence of an unhealthy condition in business. Further proof was to be found in the extravagant expenditures of ordinary citizens. One newspaper writer complained:

We are too fond of showing off in our families; and in this way our expenses far exceed our incomes. Our daughters must be dressed off in their silks and crapes, instead of their linsey-woolsey. Our young folks are too proud to be seen in a coarse dress, and their extravagance is bringing ruin on our families. When you can induce your sons to prefer young women for their real worth rather than their show; when you can get them to choose a wife who can make a good loaf of bread and a good pound of butter to a girl who does nothing but dance about in her silks and laces; then gentlemen, you may expect to see a change for the better. We must get back to the good old simplicity of former times if we expect to see more prosperous days.

Because of the prevailing prosperity ordinary day laborers were demanding high wages, higher than custom and precedent allowed. An employer at Oswego, New York, reported: "It is quite difficult dealing with laborers—they have got a notion that they will not work but 10 hours of the day and must have \$1. for that—to-day about half of our men broke off [that is, went on strike]. I have settled with them . . . there are many men idle that ought to be at work. We commenced with 81 cents per day, and shall now

Extravagance

advance to 87, requiring them to work all day—and shall not employ any that turned out to-day if we can get along without.”

Such speculative expansion as prevailed in the United States during the 1830's may continue for a long time without harmful results, until someone becomes frightened. But when fear enters, no matter how slight it may be at first, it will spread, and then the structure built on credit will go to smash. People may lose confidence in a single bank. Their first thought is to take out their money. To procure cash, the bank tries to collect the money it has lent to borrowers. If it happens to be one of the banks that lent a thousand dollars on land worth only a hundred, it cannot collect, for the borrower has no money. The bank may sell the land, but the most it can get is the actual value, which is far below the amount of the loan. Banks enter upon a wild scramble for cash; failing to get it, they close their doors. In 1837 confidence disappeared first in Europe, where continental banks tried to call in money they had lent to Englishmen. English banks in turn tried to call their American loans. American banks then turned to American borrowers, many of whom were unable to pay. In May, 1837, banks in New York suspended specie payments; those in other parts of the country soon followed suit.

When the banks failed, everybody suffered. Manufacturers had to cut wages or discharge their employees, with the result that people could not buy the goods they otherwise would have bought. Landowners who rented property could not collect rents and could pay neither interest nor taxes. They could not sell land at any price because nobody could buy. Government revenues fell off because imports decreased in volume and public land sales stopped. Specie became so scarce that not a bank in the country could pay out hard money; they had to use notes instead. The crash came in 1837; the country did not really recover until after 1843.

This financial crash was accompanied by hard times for all elements of the population. The price of cotton dropped suddenly from twenty to ten cents a pound. An odd thing happened in wheat: the American crop failed entirely in 1837, so that American farmers had to import seed for their next planting. The price of flour went to twelve dollars a barrel, an almost unheard-of figure. Therefore while the cotton planters suffered from the prices because of a glut, the wheat farmers suffered even more severely because of a scarcity. And the buying power of farmers fell off so heavily that merchants and manufacturers lost their markets.

There is one feature of the panic of 1837 that gives an opportunity for interesting speculation. Most of the canal building ventures had been carried on by the state governments, at public expense. They were what we today would probably call socialistic enterprises. Then the states went bankrupt at the very time railroad construction began in earnest. Some state constitutions were amended to prevent any further borrowing for internal improvements, and in the case of others the refusal to pay old debts made

borrowing impossible even if the officials had cared to borrow. Consequently, state governments were forced out of the business of providing transportation facilities. The task of building the railroads was therefore left for private capital. One might suggest the theory that the panic of 1837 prevented the American people from having a state-owned railroad system.

In October, 1837, the federal government began to issue treasury notes; between that date and 1843 these issues amounted all told to \$47,000,000. This was a temporary device; Van Buren proposed an additional remedy, designed, however, to operate in the future rather than for the immediate present. This was the independent treasury system, under which the funds of the government would be separated from the business world. Under this plan all money received would be deposited in the treasury at Washington, or in various "sub-treasuries" to be established in certain selected centers. Because of opposition in Congress, the President's measure was not enacted until 1840. In 1841, the Whigs repealed it, but in 1845 the law was re-enacted. The independent treasury lasted until 1919, when it was merged with the Federal Reserve System.

Sub-Treasury
System

THE WHIGS: POLITICS AND PRINCIPLES

While Van Buren and the administration party were struggling with the accumulated financial embarrassments created by the panic, Clay, Webster, and John Quincy Adams took advantage of the depression to strengthen the Whig organization. Nothing is quite so good for the opposition party as a panic. The voters can easily be made to fasten the whole responsibility for it upon the administration in office. With that idea firmly implanted, they proceed to take vengeance in the next Presidential election. From 1837 to 1840 the Whig leaders ridiculed the financial policy of Jackson and Van Buren, and called upon the people to save the country by putting in the Whigs.

Historians have never found much in that party to justify popular confidence. It did have great leaders, one of whom had been President, while two others, Clay and Webster, spent their lives in a vain race for that honor. But the Whigs were still the unfused, widely divergent factions of 1836, united neither upon leaders nor upon principles. The local chieftains were noted for their loud-spoken denunciation of the Democrats, for their deep-seated desire for federal jobs, and in many cases for little else.

Harrison and
the Whigs

The Whig convention met at Harrisburg in December, 1839. Unable to agree upon any constructive program, they were as a consequence unable to nominate any one of their great leaders, who were all of the National Republican school, believers in a bank, a protective tariff, and in internal improvements. Passing over them, because their attitude was well known, the convention nominated William Henry Harrison. He was nearly seventy years old and he knew little about politics, but he was one of the few gen-

erals who had come through the War of 1812 with credit. Aside from his military career, his chief asset was the widespread ignorance within the party concerning his political views. For Vice-President they selected John Tyler, a Virginian, a follower of Calhoun, and a Democrat in everything except his attitude toward Jackson.

Politics for
Entertainment

The campaign itself struck a new note in American politics. The Whigs resorted to the methods of the circus and swept the country along in one great, joyous, hilarious uproar. Because Harrison had once worn a coonskin cap, lived in a log cabin, and drunk hard cider, coons, cabins, and cider were chosen as symbols for the party. Local conventions were held in every city, with numerous parades and demonstrations. When the Democrats held their convention in Baltimore, the Whigs organized their biggest procession of all in the same city, to flaunt their strength in the eyes of their foes. Whig editors, inspired by the log cabins and live coons—or possibly by the hard cider—tried to outdo each other in their enthusiastic descriptions of this extraordinary gathering. One of them wrote: "In no country, in no time, never before in the history of man, was there a spectacle so full of natural glory. A thousand banners burnished by the sun, floating in the breeze, ten thousand handkerchiefs waved by the fair daughters of the city, gave seeming life and motion to the very air. A hundred thousand faces were before you. . . . Nothing was wanting, nothing left to be desired—the cup of human joy was full."

On the grand banner, carried at the head of the procession, there was inscribed the following poem, which might be sung to the air of "The Old Oaken Bucket:"

The people are coming from plain and from mountain,
To join the brave band of the honest and free
Which grows as the stream from the leaf-sheltered fountain,
Spreads broad and more broad till it reaches the sea;
No strength can restrain it, no force can retain it,
Whate'er may resist, it breaks gallantly through.
And borne by its motion as a ship on the ocean
Speeds on his glory Old Tippecanoe!
The iron arm'd soldier, the true hearted soldier,
The gallant old soldier OF TIPPECANOE!

Response of
the Voters

The Democrats ridiculed this exuberant enthusiasm and derisively referred to the Baltimore procession as an animal show. One Democrat said he tried to get close enough to see the log-cabin men in the parade, but after one look at them he put his hand on his pocketbook. The Whigs could well afford to let the Democrats laugh. Campaign methods are justified by results, and the horseplay and buffoonery appealed to the voters. On election day Van Buren, the Democratic candidate, carried only seven states with 60 electoral votes. Harrison received 234 electoral votes. The total popular vote for all the candidates exceeded that of 1836 by about a million. Dis-

gusted as they were with the outcome, the Democrats could not deny that their opponents had distinguished themselves by their campaign methods.

On inauguration day, Harrison was duly installed in office, in the midst of enthusiastic applause, furnished in large measure by the swarms of office-seekers who poured into Washington. These faithful followers crowded the streets and filled the boardinghouses, while some even slept in the doorways of the White House. In the meantime the new President, a man of seventy years, was in the dark as to his place in the new dispensation. Able in military affairs in his younger days, clever and tactful in dealing with office-seekers, he had little acquaintance with the situation in the party he was supposed to lead. Consequently he turned to Henry Clay for help, because Clay more than any other man was the leader of the party. Clay advised Harrison on Cabinet appointments and decided upon the legislative policies. Congress was called for a special session, primarily to repeal the Independent Treasury Act, to establish a new bank, to enact a higher tariff, and to provide for internal improvements. Some of these policies were popular in the East, some in the West; the southern Whigs did not like any of them. Within a month after his inauguration, and nearly two months before Congress met, Harrison died. Tyler, his successor, disapproved of the major points in Clay's program.

Harrison,
Clay, and
Tyler

Congress passed a bill for a bank, which the President promptly vetoed. A second met the same end, and eastern Whigs stigmatized the President as a traitor. Clay's internal improvements plan, based on a scheme to distribute the proceeds of public land sales among the states, was so altered that it was worthless. Stung by his failure to command the executive and to direct the policies of the administration, Clay advised Tyler's Cabinet to resign. All the members did so except the Secretary of State, Daniel Webster. The common explanation of his refusal to follow his colleagues into private life is that he was then engaged in a series of delicate negotiations with Lord Ashburton, the British minister to the United States. The problems were then in process of solution, and Webster did not wish to jeopardize the prospect of a satisfactory settlement by turning his department over to an inexperienced man. But Webster found it possible to work with Tyler, and, never free from Presidential ambitions, he may have hoped to use his foreign policy as a means of getting into the White House.

Troublesome enough in themselves, these questions had been rendered more than usually serious by outspoken American sympathy for the Canadians in their insurrections from 1837 to 1840. There were French Canadian uprisings and Republican uprisings, both aimed at the overthrow of British rule. Before the United States government could act effectively to compel neutrality, Americans along the border had participated in the disturbances. Out of this situation developed the *Caroline* affair. In 1837 military forces fitted out in New York stationed themselves on Navy Island, in American waters near Niagara. Their supplies came from the United States, by the

Border
Problems

steamer *Caroline*. In December, 1837, a detachment of Canadian militia crossed the river, set fire to the *Caroline* and sank her in midstream. In the course of this enterprise one American was killed. In 1840 one Alexander McLeod was arrested and tried for the murder. The British government demanded his release on the ground that whatever he had done had been in the course of carrying out military orders. McLeod was being tried in a New York court and the federal government had no authority to interfere. Such was the situation when Webster became Secretary of State. Webster was able to secure McLeod's release. Then, to guard against the recurrence of such a complication, he was instrumental in getting a law through Congress providing that a subject of a foreign power on trial in a state court might be transferred to a federal court, and dismissed, if the latter court approved.

A more important controversy had grown out of the uncertainty regarding the location of the boundary line between Maine and New Brunswick. The treaty of 1783 had been anything but definite on that point and the citizens of Maine and New Brunswick had gone almost to the point of war. The Webster-Ashburton treaty of 1842 compromised the dispute. The territory in question was divided, in such a way that Maine got the Aroostook valley and a part of the valley of the upper St. John. The United States gained possession of seven thousand square miles, and Great Britain about five thousand. It is possible that the general disapproval, on both sides, with which the treaty was received is a tribute to its fairness and justice. Other questions, regarding the slave trade, were regulated to the satisfaction of both countries.

Culture, Education, and Religion

 AMERICAN LITERATURE

FOR THE student of history who is interested in human behavior, as well as in economics, politics, and government the three decades preceding 1860 are full of fascinating material. The period has been called by various titles. One historian describes it as "the intellectual and moral renaissance," another as "the hot-air period in American History." Both characterizations are accurate and apt. It was a time of awakening, in literature and religion, as well as in morals; it was a time of humanitarian reform. Almost every department of life was being examined, for the purpose of making a new evaluation. During this process certain customs, practices, and beliefs were found wanting; these discoveries were followed by reforms, some good, some bad, some merely foolish. James Russell Lowell left a brief but vivid description of this extraordinary enthusiasm for making people better.

The Search
for Perfection

Every possible form of intellectual and physical dyspepsia brought forth its gospel. . . . Everybody had a mission (with a capital M) to attend to everybody-else's business. No brain but had its private maggot, which must have found pitifully short commons sometimes. Not a few impecunious zealots abjured the use of money (unless earned by other people), professing to live on the internal revenues of the spirit. Some had an assurance of instant millennium so soon as hooks and eyes should be substituted for buttons. Communities were established where everything was to be common but common sense. . . . Many foreign revolutionists out of work added to the general misunderstanding their contribution of broken English in every most ingenious form of fracture. All stood ready at a moment's notice to reform everything but themselves.

Among the more creditable results of this eagerness for improvement perhaps the literary revival comes first. Emerson, Hawthorne, Bryant, Lowell, and Whittier were in their prime then; Cooper and Poe fit into the period in its beginning, and Whitman and Longfellow at its end. No other period in American history can boast as many writers whose work has survived so long. Few writers of that day confined their work solely to the life they saw going on around them, for they belonged in part to the imaginative or romantic or historical schools. Even so, they did find time to put some of their own observations into lasting literature. The first really important American writer, apart from theologians, historians, and those who wrote

American
Writers

of politics and statesmanship, was Washington Irving (1783-1859). He dealt with affairs of the past, for example, in his legendary stories of Dutch life in New York. Irving's *Sketch Book* included two of these famous stories: "Rip Van Winkle" and "The Legend of Sleepy Hollow." *A History of New York from the Beginning of the World to the End of the Dutch Dynasty*, by Diedrich Knickerbocker, was another dip into the past, and its purpose was to entertain. This alleged history with its ponderous name was one long burlesque. Irving's writings on England, such as *Bracebridge Hall* or his works on Spanish themes, such as *The Chronicle of the Conquest of Granada* and *The Alhambra*, need only to be mentioned as the products of an American: they shed no particular light on American history. But in 1835 Irving published his *Tour of the Prairies*, in which he described his own experiences with an exploring party beyond the Mississippi. Here he dealt with a genuinely American theme, the opening of the Great West. Next he published *The Adventures of Captain Bonneville*, which he wrote with the help of Bonneville's own journal. These represent literature that is historically significant, because it does help to explain the life of the time.

James Fenimore Cooper (1789-1851) did much more than Irving with native American themes, although his field was the historical novel rather than an analysis of contemporary life. He managed to capture the spirit of the frontier in his novels, and in spite of some odd inaccuracies he brought to the reader surprisingly vivid portrayals of pioneers, Indians, and woodsmen. He was noteworthy for the quantity of his literary output—sixty-seven volumes in all. Of his novels, critics still speak well of *The Spy*, a story of the Revolution, with its scene laid in Westchester County, New York. But Cooper is most famous for the five Leatherstocking Tales, and of these *The Last of the Mohicans* is the most widely read. In these stories he dealt with life on the frontier, with the relation of whites and Indians, and with the gradual disappearance of frontier customs as civilization spread over the wilderness. Cooper was also the first American author to write a good novel of the sea: both *The Pilot* and *The Red Rover* are vivid stories.

Another author of this period, William Gilmore Simms (1806-1870) found his themes in his own section, South Carolina, and his novels, poems, and histories describe American life of the Revolutionary period. But Simms was interested in the growth of an American nation, and his writings reflect a truly national spirit. In *The Wigwam and the Cabin* he included a number of short stories dealing with life on the frontier.

The greatest literary artist of the second quarter of the nineteenth century was Edgar Allan Poe (1809-1849). He was the first American to use the device of the short story, that is, a tale having a complex plot, carefully worked out, with clearly drawn characters. He introduced the detective story, with all its modern attributes: "The Gold Bug," "The Murders in the Rue Morgue," and "The Purloined Letter" are the best examples of this type of his work. Then Poe dealt heavily in horror stories, such as "The

Black Cat" and "The Fall of the House of Usher." These imaginative tales were not reflections of American development or of contemporary American life; but they are good stories in the sense that they are vivid, well constructed, and well written. Poe's verse put him in the comparatively small group of internationally famous authors.

After 1840 a new trend appeared in American literature, the result of a theory of life and thought known as transcendentalism. Transcendentalists believed that the human mind contained in itself an understanding of such principles as right and wrong, an understanding of religion and of God; that these principles did not come from experience, but from something outside of experience. Through this relationship between man's spirit and God, the human soul became one means of revealing the truth about God to man. Another means of revealing eternal truth was Nature, the world around us. So the transcendentalists studied and wrote about the soul and its connections with a Higher Power, and about Nature as the mirror which reflected God. Transcendentalism

The most famous literary representative of the transcendentalists was Ralph Waldo Emerson (1803-1882). His transcendentalism was a doctrine of right living, and he taught and wrote to make men better. To be better a man must be free, that is, independent in spirit, and he must be in touch with Nature. Emerson's poems reflect both these beliefs; his essays were his attempts to make his philosophy clear. The average layman of today feels that Emerson was not conspicuously successful in this particular aim—that is, if he reads Emerson at all. Even Emerson's admirers sometimes felt that his discourse was "disjointed," that it "began nowhere and ended everywhere."

Another representative of the transcendental school was Henry David Thoreau (1817-1862). He carried the doctrines of his teaching into his life. He would make himself truly independent; he would live simply and honestly. He would stand up for his principles, no matter what the cost. He would even go to jail rather than pay a tax which might be used for an unjust cause. And he had a deep love of nature. For the greater part of two years he lived in seclusion at Walden Pond, not far from Concord, Massachusetts, and his book *Walden* is a description of his life during those years. Thoreau had the gift of clarity in his writings that Emerson lacked.

American literature of the mid-nineteenth century is famous for its poetry, and the list of writers is notable: Henry Wadsworth Longfellow (1807-1882), John Greenleaf Whittier (1807-1892), Walt Whitman (1819-1892), James Russell Lowell (1819-1891), Oliver Wendell Holmes (1809-1894), and Sidney Lanier (1842-1881). All these poets wrote of the life around them and managed to convey to their readers then and now an understanding of the real America of their time.

In many respects Longfellow's life was ideal, in the sense that he enjoyed excellent health, and his income was more than sufficient for his needs. He

lived in a delightful environment, his life work was congenial, and he had a brilliant circle of friends. The only shadows in this picture—and they were dark ones—were domestic. His first wife died while they were traveling abroad; his second wife died from burns in their own home. Longfellow's verse is like his life: pleasing, smooth, comfortable; he never stirred anyone to intense feeling, but he has brought enjoyment probably to more readers than any other American author. His short poems are reflections of his environment at Brunswick, Maine, and Cambridge, Massachusetts. His longer ones—"Evangeline," "The Courtship of Miles Standish," "Hiawatha"—deal with important aspects of American history.

Whittier never won Longfellow's international fame, but his verse has the peculiarly great quality of making people feel life as Whittier lived it, as so many New Englanders lived it. "Snowbound" describes America as seen through the eyes of an intelligent Yankee farmer, and there is no other piece of description of this type of life equal to it. For students of American history one of his poems deserves to be better known than it is: "Cobbler Keezar's Vision." The significant part of it is the story of the transition of the Merrimac valley from the region of pioneer farms to a collection of industrial communities.

Although he was born on Long Island and lived most of his life in New Jersey, Walt Whitman was the best representative of the new democratic America, the America of the West. And in keeping with the new life which he described, Whitman experimented with new verse forms as more suitable means of expression. He has sometimes been described as the greatest American poet, sometimes as the most typically American poet.

Sidney Lanier, musician and poet, lived to be only thirty-nine, and in his adult life he knew little but hardship and illness. Born in Georgia, he entered the Confederate Army soon after graduation from college. Taken prisoner on a blockade runner near the end of the war, he contracted tuberculosis. The rest of his life was a struggle against the disease. But in spite of handicaps which would have silenced most men, or worse yet, made them bitter, he contrived to write some of the most musical verse in American literature.

These poets dealt with important issues of their day. Whittier was the great poet of the anti-slavery movement. Lowell wrote some extremely vigorous verse, in dialect, condemning the government of his country for the war with Mexico; he wrote also a second series dealing with the Civil War. These "Biglow Papers" brought him wide popularity in his day, and some critics still profess to find them valuable. Oliver Wendell Holmes was the most versatile of them all—physician, teacher of anatomy, essayist, poet, and novelist. In spite of the demands of his profession, which were heavy, he produced a surprising amount of writing in which he gave lasting fame to intellectual Boston. His "The Deacon's Masterpiece," the story of the

building, career, and collapse of the "wonderful one-hoss shay," is a figurative description of the breakdown of the Puritan system of theology.

Of the novelists of the period there were three, in addition to Irving and Cooper, of outstanding importance: Nathaniel Hawthorne (1804-1864), Harriet Beecher Stowe (1811-1896), and Herman Melville (1819-1891). In some respects Hawthorne's novels reflect as much of himself as of the times he tried to describe. He showed a gloominess and a concern with the consequences of sin that was not necessarily typical of all Puritans or their descendants. But *The Scarlet Letter* and *The House of the Seven Gables* are great stories, even if they are not cheerful. Mrs. Stowe's most important work was *Uncle Tom's Cabin*; over-sentimental, poorly written, and with a poor plot, but with some elements of a great book; certainly it was the most popular book of the period. Herman Melville wrote stories of the sea, of which the best known is *Moby Dick*, the story of the white whale. For some reason Melville gained very little fame in his own day, and it was not until the twentieth century that his books became popular. *Moby Dick* is a story of the whale fishery, in and out of New Bedford. In many ways it is an excellent description of some features of that famous industry. But sons of old whale fishermen, unaware of its symbolic intent, laugh at the white whale in the story: they insist that no whale ever had a fraction of the intelligent purpose which Melville attributed to his monster. Possibly because the book did not ring true in this respect it failed to impress Melville's contemporaries.

Novelists

Among other writers of lasting fame were the great historians: Bancroft, Prescott, Motley, and Parkman. Bancroft wrote the history of the American colonial period and the Constitution. Prescott described the Spanish conquests of Mexico and Peru. Motley told of the rise of the Dutch republic. Parkman dealt with the French colonies in the new world and their long struggle with the English. These historians combined in remarkable fashion the elements of sound historical accuracy with great readability; their books are still entertaining reading.

In this group there should be a mention of Jared Sparks, the first professor of American History at Harvard. Sparks was the first editor who published large quantities of significant source material. He brought out a collection of documents on the diplomacy of the American Revolution. But in editing the letters of Benjamin Franklin and George Washington, Sparks changed the wording, particularly in some of Washington's harsh comments on his contemporaries.

REFORMS IN EDUCATION

At the present time one of the most important and most typical of our American institutions is the free public school. Every state in the Union provides educational facilities for its children and youth, all of them through the high school and many through college as well. The idea of public schools took a practical turn in the early history of Massachusetts, with a law requir-

Schools and
Colleges

ing the towns to maintain schoolmasters. The first high school in English North America, the Boston Latin School, was founded in 1635. It is understandable that during the American Revolution the public schools in New England should have been badly neglected, and that a genuine educational reform was greatly needed. But no real progress was made until after 1815, and even then it was slow.

The backwardness of the schools may be explained in part by the shortcomings of the American colleges of the period. If they failed to keep pace with a changing world, the few public schools would be just as conservative, since until 1839 the only higher education available for teachers was that offered by the colleges. There were no training schools for teachers. Down through the first third of the nineteenth century—and to a much later date in many cases—the course of study in the American colleges was like that at Harvard in its early days, which in turn modeled its curriculum on that of the medieval universities. Students studied Latin and Greek; these were the basis of the whole educational system. Secondarily they studied rhetoric, mathematics, natural philosophy—the nearest approach to physics and chemistry available—logic, and moral philosophy. There were no modern languages, practically no history, and no science worthy of the name. There were rare exceptions to this hard and fast arrangement, notably at the Universities of Pennsylvania and Virginia, but their departures from tradition brought them generally unfavorable comment.

In the 1820's there were numerous protests against the traditional combination of classical languages, mathematics, and philosophy. On being installed as president of the University of Nashville, Tennessee, in 1825, Philip Lindsley declared: "The farmer, the mechanic, the manufacturer, the merchant, the sailor, the soldier . . . must be educated." In developing his theories of vocational education, President Lindsley called for shops, gardens, and a farm. He wished also to introduce such subjects as government, international law, commerce—he probably meant business education—and agriculture. Here was one of the earliest, most carefully thought-out plans for vocational education. The plan was not carried through at the time, but it was important as a sign of the times.

A year later, in 1826, at the University of Vermont, President James Marsh worked to introduce courses in languages, English literature, and physics, and to permit the students to break away from the standard curriculum. In 1827 a new type of school opened at Whitesboro, New York, near Utica: the Oneida Institute of Science and Industry. Founded on the new manual labor principle, the Oneida Institute required its students to work three and a half hours every day in agriculture or at some mechanical trade. This manual labor was designed partly to cut down the cost of education, but it was also a definite part of the educational process. The founder of the Institute proudly described this policy as "a system of education which is to introduce the Millennium." In 1834 Oneida adopted a new curriculum,

with no Latin whatever and no Greek classics; in their places Hebrew and the Greek New Testament were substituted. There were also courses in "Political Economy," and in "Principles of Human Government."

In August, 1833, plans were completed for establishing the Oberlin Collegiate Institute, about twenty miles south of Cleveland, Ohio. Oberlin aimed to train young men for the ministry, and proposed the utterly revolutionary and almost unheard-of notion of training young women for teaching. And Oberlin, like Oneida, adopted the manual labor principle as an important part of the educational process. Furthermore, without going quite so far as Oneida, the Oberlin Institute greatly reduced the amount of Greek and Latin required.

Oberlin

Oberlin was also famous for zeal in another campaign for reform, the propagation of evangelical religion. As the president of the institution described it, Oberlin was founded on "strictly evangelical principles," and it was "a strictly religious institution," where "the pupils, from the beginning to the end of their course are trained for the service of God. . . . It is intended that it shall stand, by the grace of God, preëminent in promoting revivals." Prospective students who were indifferent to religion would not be excluded, but it was "the calculation of both Teachers and the pious pupils that all who enter impenitent shall be converted." Most important of all, the president wrote, "it is also a prominent object to train the pupils in and for efforts for a continued Revival, that they may skillfully lead the church in aggressive movements for the conversion of the world." This desire to convert the world furnishes a key to much of the period's varied activity in reform.

During these years from 1825 to 1835 there seemed to be a revolution taking place in American education, the purpose of which was to provide practical training, and to bring education into line with what was then the present-day world. In 1828, at Union College, Schenectady, New York, President Eliphalet Nott permitted the students to choose a course in modern languages as a substitute for Greek. But he could not allow them a degree; all they could hope for was a certificate, stating the amount of work actually covered. At Amherst, Massachusetts, new courses were offered in modern languages, English literature, history, political economy, together with some work in science.

The best evidence of the importance of this educational overturn is to be found in the effect it had on the conservatives, and in their protests against it. The most famous of these protests was prepared by the faculty of Yale College, in the form of a report to the trustees. In 1827 this body asked for an opinion as to the desirability of dropping Latin and Greek as essential requirements for the degree, and of substituting modern languages. They got their answer. Under the leadership of President Jeremiah Day, the Yale faculty registered a vigorous and solemn negative to the proposed change. "From different quarters we have heard the suggestion, that our

The Conserva-
tive Position

colleges must be new-modelled; that they are not adapted to the spirit and wants of the age; that they will soon be deserted, unless they are better accommodated to the business character of the nation."

Yale had no sympathy with these radical proposals. She would continue to train the mind, and she would have nothing to do with vocational education: "We have, on our premises, no experimental farm or retail shop, no cotton or iron manufactory." The traditional course of classical languages, mathematics, and philosophy was best adapted to mental growth. The notion that modern languages could be profitably studied without adequate training in the classics they declared to be visionary and silly. Yale would have nothing to do with new departures in education. "By persevering in its present course the college has much to expect and nothing to fear: But by deserting the highroad which it has so long travelled, and wandering in lanes and bypaths, it would trifle with its prosperity, and put at hazard the very means of its support and existence." The trustees agreed with the faculty. The influence of Yale was still powerful, but it was not all-important. The changes already made before the Yale report, and those made within the next few years prove that new tendencies could not be checked.

Public Schools

In 1826 New York's Governor De Witt Clinton—already famous for starting the Erie Canal—gave the legislature of his state some advice on the subject of education: "The first duty, and the surest evidence of good government, is the encouragement of education. . . . I consider the system of our common schools as the palladium of our freedom for no reasonable apprehension can be entertained of its subversion so long as the great body of the people are enlightened by education." By 1860 the majority of states—except in the South—adopted the policy of public schools supported by general taxation. In Boston, Massachusetts, a new public high school for boys had been opened in 1821; and one also for girls, the first in the country, in 1826. But as late as 1840 Massachusetts did not have more than twelve high schools, and this number was greater than in any other state. In 1860 Massachusetts had seventy-eight high schools, New York forty-one, and Ohio forty-eight.

The real work of educational reform began in 1837 when Massachusetts organized its first state Board of Education and appointed Horace Mann secretary. Originally a lawyer, Mann became the best-known educational reformer of his time. He found that one-third of the children in the state had no chance at even an elementary school training. Mann went to work to raise money, to arouse interest in providing better facilities and to induce the town meetings to spend money on their schools. But he found there were too few well-trained teachers. To remedy this defect he established the first normal school in the United States in 1839 at Lexington.

In 1845 Mann organized a state association of teachers. He helped to secure a new state law providing that all children of school age under twelve must spend at least six months of every year in school. Between 1837 and

1847 Massachusetts invested the substantial sum of \$2,000,000 in school buildings; through Mann's driving efforts fifty new public high schools were started. In 1848 Horace Mann resigned his position as secretary of the Massachusetts Board of Education and returned to the practice of the law, to anti-slavery agitation, and to politics; but during his term of office he made a permanent reputation as the promoter of a sound system of secondary education in the United States. Among other leading American educators of this early period was Henry Barnard of Connecticut, editor and publisher of the *American Journal of Education*. Men like Mann and Barnard, an increasing number of earnest workers, made the principle of free public education an accomplished fact.

Up to this time the colleges in the country were privately endowed and the idea of public universities was so novel as to be almost revolutionary. But in 1817 the territory of Michigan worked out a comprehensive plan of public education, beginning with primary schools and ending with a state university. Twenty years later, after Michigan was admitted to the Union, the state university became a reality. All the other western states sooner or later adopted similar plans.

If the free public school is a necessity for all children in democratic governments, independent newspapers with honest, independent editors are equally necessary for adults. Before the days of radio, the newspaper was the only available means of keeping the citizens informed about the affairs of their government. During the period of the 1830's and 1840's the American newspaper was transformed. Formerly, the primary purpose of the papers had been to print long essays on political subjects, with very little current news. There were reports of the doings of Congress and the state legislatures, and there were bitter political articles, the kind of thing that most readers now would find very dull.

Modern
Newspapers

The first modern newspaper was the *New York Sun*. It was cheap, it was amusing, and it played up the sensational. Its editors worked on the principle that the readers wanted entertainment. Once it published a series of articles about a marvelous new telescope, built in England and set up in Africa, by means of which observers could see clearly what was taking place on the moon. At first the other papers ridiculed the *Sun's* story, but the *Sun's* circulation went up, and that of the others went down, so the other papers reprinted the great moon story. Then the *Sun* admitted that the whole thing was just a publicity stunt, that the story was fictitious from beginning to end. The readers were amused, and the people admired the editors for their smart audacity. But the *Sun* also printed fresh news. It introduced the editorial page, consisting of a series of short, vivid comments on public affairs or matters of general interest.

Among other papers which adopted the new style were the *New York Herald*, edited by James Gordon Bennett, the *Tribune*, made famous by Horace Greeley; and the *Times*, edited by Henry Raymond. These papers

kept special correspondents in Washington to write full reports of the activities at the national capital. The *Herald* had the most alert reporters, but its editorial page, while breezy and readable, was not the equal of Greeley's in the *Tribune*. When the telegraph was made available in 1844 the newspapers were able to report widely scattered events all over the country. All the people then had, or could have, news at the same time.

But the new type of newspaper was not confined to New York. The *New Orleans Picayune* in the South, and the *Springfield Republican* in New England are among the newspapers of the period which historians must use in trying to understand public opinion of that day. People read their newspapers and took them seriously. In upstate New York good citizens were inclined to put the *Tribune* next to the Bible as the unquestioned authority.

The Lyceum

Going further into the educational facilities of this period before the American Civil War, the student will run across numerous references to the "lyceum," or public lecture. In almost every town people contributed money to hire famous men to come and talk to them. There were few great writers of the day who did not occasionally appear on the lyceum platform; some spoke hundreds of times. Theodore Parker, the famous anti-slavery clergyman of Boston, lectured all over New England, parts of New York, and Ohio, wearing himself out the while. Edward Everett made himself famous with his lecture on "Washington and the Union." Henry Ward Beecher added to his fame as a pulpit orator by his work on the lyceum platform. This was a development which gave people in the smaller towns an opportunity to hear and see the men who were helping to form public opinion.

CHURCHES AND RELIGION

"Vital Religion"

During the 1830's particularly the people of the northern part of the United States became deeply aroused over a complex movement for religious reform. The aims of the leaders were briefly to improve the churches, to make the country better, to educate the people, and so to train a more desirable kind of citizen. This reforming zeal was most evident in New England, central New York, and Ohio. Here was a section with common hopes and ideals, and the leaders in the different states kept in touch with each other by means of an amazing volume of correspondence. Those who had money contributed to every good cause; others helped with speeches, writings, and prayers. The active agents in this work were the organized evangelical denominations, some new colleges specially founded for the purpose, and many zealous individuals.

The genesis of the reform movement was religious in an evangelical, revivalistic sense. After 1800 "vital religion" with its "protracted meetings," long-drawn-out revivals, and "hopeful conversions" was a characteristic feature of the American scene. Central New York felt the impact with a revival beginning in Oneida in 1825, under the leadership of the young

evangelist, Charles Grandison Finney. Spreading out from this section it affected the whole area from New England to the Middle West.

One result of reforming zeal was manifested in theological disputes within the various organized religious denominations. These disputes resulted in the formation of numerous rival groups, offshoots of the parent churches. When for any reason a denominational organization failed of its purpose, the dissatisfied reformers would break away and start a new one. Each additional offshoot became another active agency for making the world better. For example the list of Baptist denominations included the regular or orthodox group, Seventh-Day Baptists, Free Baptists, Freewill Baptists, General Six-Principle Baptists, Two-Seed-in-the-Spirit Predestinarian Baptists, and some others. Methodists and Presbyterians divided in similar fashion. Each new group seemed eager to outdo its rivals in promoting good causes.

This theological ferment produced, however, a countermovement in the direction of religious unity, the very opposite of the process which threatened to split the denominations into fragments: this was the foundation of undenominational, or anti-denominational, churches. As they moved away from sectarianism these reformers called the fervent denominationalists anti-Christian. They would accept as members any who believed in Christ. By uniting all the faithful in each community into a single body they hoped to work more effectively than ever for the regeneration of the country.

In New England the reform of the Congregational Church, which really dated back to the period of the Revolution, gave rise to the Unitarian movement. The old Calvinistic doctrines of predestination and infant-damnation gave way to a more cheerful faith. According to the strictly orthodox believers, Unitarianism could not be described as a reform, because it denied one of the most fundamental beliefs of Christianity: the divinity of Christ. Its adherents, however, called it a "rational" faith, which attempted to separate true religion from superstition. But reformed or not, the Unitarian Church was still too conservative to satisfy even some of its own clergy. The Reverend Theodore Parker accused his own theological school at Harvard of killing religious interest in the students. "The Egyptian embalmers," as he put it, "took only seventy days to make a mummy out of a dead man. Unitarian embalmers use three years in making a mummy out of a live one." In eastern Massachusetts particularly Unitarianism was closely connected with wealth and social position.

Unitarianism

Never before in the Christian era had there been so many different denominations; it was indeed a hard person to please who could neither find a place in one of them nor be content to remain quietly outside them all. But there were uneasy spirits who wanted a new religion. One new church founded at this time, 1830, was that of the Mormons, or Latter Day Saints. Its prophet and leader was Joseph Smith of Palmyra, New York. He published *The Book of Mormon*, the contents of which he claimed were

**Latter Day
Saints**

miraculously revealed to him by the angel Moroni. In the course of a year the new prophet had a thousand converts, and their number increased rapidly. By 1844, when Smith was murdered, his followers numbered fifteen thousand. Finding themselves persecuted in the states where they tried to settle—Ohio, Missouri, and Illinois—the main body of Mormons moved out to the region of the Great Salt Lake, then a part of Mexico, now in the state of Utah, the present home of their spiritual successors.

The Mormon settlement at Salt Lake City furnished an illustration of semi-socialistic living. Roads, canals for irrigation, even the freight service to the Missouri valley, were built and operated by the church. The members bought their supplies from the church store, and all the profits were used for the general welfare. To make the community independent of the outside world, the authorities planned to establish industries of all kinds, particularly woolen, cotton, and paper mills. Although actual development fell short of some of these hopes, the Mormon territory became prosperous.

The religious revivals were encouraged by three great organizations, the American Bible Society, the American Tract Society, and the American Sunday School Union, all of which kept up a continuous drive against the forces of sin. The Bible Society was evangelistic in aim; it undertook to provide every family with a copy of the Bible. When it celebrated its fourth anniversary, its president talked about "the delightful prospect opened up to us by the promulgation of the Gospel over the habitable earth."

But the Bible was relatively expensive, so the reformers planned to supplement it with tracts. These little messages could be widely circulated at slight cost, and their systematic distribution was held to be just as important as the distribution of the Bible. "To my mind, no mode has yet been devised for diffusing religious knowledge, which proves as successful as tracts. They make their way into every class—into every occupation." So wrote one of the organizers of the New York Tract Society. In 1825 the American Tract Society was organized. At its first annual meeting, held in New York on May 10, 1826, its purpose was defined in the constitution: "to diffuse a knowledge of our Lord Jesus Christ as the Redeemer of sinners, and to promote the interests of vital godliness and sound morality, by the circulation of Religious Tracts, calculated to receive the approbation of all Evangelical Christians." The Reverend Justin Edwards, of Andover Theological Seminary, explained that the object of the Society was "to deliver immortal souls from a course of eternal sinning and eternal suffering; to transform them into the perfect image of God, and raise them to a state of eternal holiness and bliss in heaven." The guiding doctrines of the Society were defined as: "Men's native sinfulness—the purity and obligation of the law of God—the true and proper Divinity of our Lord Jesus Christ—the necessity and reality of his atonement and sacrifice—the efficiency of the Holy Spirit in the work of renovation—the free and full offers of the Gospel,

and the duty of men to accept it—the necessity of personal holiness—and an everlasting state of rewards and punishments beyond the grave.”

At the end of its first year the American Tract Society boasted of one hundred and two auxiliaries, distributed among seventeen states. During the year prior to its sixth annual meeting it distributed nearly sixty-five million tracts. A few titles, picked at random, illustrate the general tone: “Without Holiness no Man shall see the Lord,” “Profane Swearing,” “The Progress of Sin,” “Effects of Ardent Spirits,” “Preservative against the Sins and Follies of Youth,” “Twenty Reasons for not being a Roman Catholic,” “To Christian Females, on Simplicity in Dress,” “Little Verses for Good Children,” and so on by the hundred. In addition to tracts it published *The American Tract Magazine*, and *The Christian Almanac*.

The Bible and the Tract Societies were organized effectively for carrying on a continuous, systematic attack upon the wicked and their sins. The national organizations of these societies, their state organizations, and local branches in the counties, cities, and towns were all intimately tied in with the evangelical churches. It would be difficult to imagine a more effective device for keeping up a constant, inescapable drive upon the people. Then to make the network more complete and the religious influence still more pervasive, particularly among the children, the religious reformers launched the Sunday School movement, with its own national organization: the American Sunday School Union. The Union was determined to establish Sunday Schools everywhere, and in 1827 it boasted of having over four hundred thousand children under regular instruction, with sixty thousand teachers. According to a statement made by Alexander Henry, president of the Union: “There is no institution, but Sunday Schools, that is attempting to form the moral character of a generation in the years of childhood. The capacity of it is boundless.” The Union published books “bearing on a multitude of pages . . . the sound maxims of morality, and the pure precepts and holy doctrines of religion, to the minds and hearts of children, teachers and parents: thus diffusing a most salutary influence throughout families and neighborhoods.” If good intentions could have made America virtuous, these reformers would have achieved a marvelous victory.

Sunday
Schools

Secular Reforms and the Abolitionist Movement

OBJECTIVES OF THE RIGHTEOUS

Temperance

IN SOME respects the organized attack upon intoxicating liquor was the most significant of the secular reforms, partly because of the large number of people involved in and affected by it, partly because it reflected so clearly the spirit and purposes of the reformers. The advocates of temperance were concerned with saving souls for the next world, as all good Christians were, but they would facilitate the process by uplifting individual human beings on earth. And there was justification for the belief that of all the forces tending to degrade man from his exalted status as the image of God, intoxicating drink was the worst. The campaign against liquor therefore would strengthen man in his struggle with a fatal enemy.

Although societies for the suppression of intemperance were formed in the eastern and middle States before 1820, they did not become dynamic until they were touched with the enthusiasm of the great religious revival. In 1826 "the American Society for the Promotion of Temperance" was organized in Boston, at the very time when the country was caught in the full sweep of evangelistic fervor. From that time on to the adoption of national prohibition in the twentieth century, with only occasional lapses in interest, the advocates of temperance kept up a continuous attack upon their convivial neighbors and upon the men who made and sold them their drink.

Dry Hotels

For the reformers the traditional intimacy between liquor and the hotel business had long been a matter of deep regret, and some of the temperance men of the 1830's tried to break the alliance. They proposed to establish temperance taverns where the respectable traveler might put up, free from disturbing associations with the bottle and the bar. An advertising card put out by the proprietor of one of these temperance hotels in up-state New York read as follows:

Peterboro Hotel

Cleanliness; Quiet; Comfort.

1. No intoxicating liquors.
2. Persons, so unfortunate, as to use tobacco, are requested to observe the spit-boxes.
3. The traveller is assured, that he shall not be disturbed by dancing parties;

and that this House shall not, like many a village tavern, be the resort of ungoverned and idle boys.

4. The Office is closed on Sunday.

This hotel, which has been recently purchased and remodelled by Gerrit Smith, is kept by

E. C. HYDE.

June 1845.

The temperance hotel movement was one of a number of by-products of the great campaign against liquor; it probably never had the support of a majority of the temperance men of that time, but it was indicative of the extremes to which some reformers were running. Further evidence of this propensity for going to extremes is to be found in the following letter: "I have got beyond Temperance to the *Cold Water Society*—no *Tea*, Coffee or any other slops—only pure Water to drink and coarse fare to eat."

In 1840 a new and unexpected impetus was given to the cause of temperance by the formation of the Washington Temperance Society at Baltimore. This new organization, started and largely carried on by reformed drunkards, spread over the country with surprising rapidity. "This movement among the reformed drunkards is one of the most astonishing in the history of the moral government of God," wrote one of the temperance editors. As the Washingtonian movement spread, it became customary for groups of "reformed inebriates" to hold temperance meetings, for the purpose of winning new converts. One worker wrote enthusiastically of the "wholly unanticipated and delightfully successful measure of Reformed Drunkards' Societies."

Reformed
Inebriates

In 1846 Maine adopted the first state law to prohibit the sale of liquor for beverage purposes, and in the course of the next ten years twelve more states followed her example. Partly because of difficulties of enforcement most of these measures were repealed. Before the close of the Civil War all the states but Maine, New Hampshire, and Vermont had abandoned this type of restriction. The Civil War brought temporary discouragement to the temperance workers, as it did to other reformers, but after the restoration of peace faithful workers took up the cause as though nothing had happened.

The preceding paragraphs may suggest the intensity of the spirit of reform which inspired the American people during this period, but they do not bring out the wide sweep of the movement, nor the variety of its efforts. The main purpose, of course, was to strengthen the character and improve the habits of mankind. To accomplish these results the apostles of moral uplift organized a special attack upon every practice or custom which they regarded as evil. In taking up the cause of temperance several earnest spirits joined in abandoning meat, spices, tea, coffee, and tobacco—sometimes even going so far as to give up the use of fish, gravy, and butter.

The anti-tobacco movement never gained the headway or made the appeal

of the anti-alcohol crusade, although it did inspire some interesting literature. Unhindered by any limitations imposed by exact knowledge and swept along by the zeal of their day, the enemies of smoking would go to any length of misstatement or absurdity. One of the best illustrations of their mode of attack is to be found in a tract of fifty-two pages published by the American Tract Society: "My Young Friend and His Cigar." The tract listed eighty-seven diseases caused by the use of tobacco and argued that twenty thousand deaths were caused in the United States every year by tobacco.

Health and
Diet

The same spirit of robust righteousness was carried over into the realm of dietic reform. During the 1830's Sylvester Graham, whose name has become synonymous with whole wheat flour, was the most conspicuous figure in this work. *The Graham Journal, of Health and Longevity* published in Boston by David Campbell, made its appearance in 1837. It was dedicated to the improvement of health through better diet. In 1839 Graham himself planned a convention in New York, during the anniversary week in May, when all the great agencies of reform held their annual meetings. He called his specialty "Physiological Reform," and asked one of his co-workers to prepare a report on the "moral and religious bearing of our Reform, including the temperance Reform popularly so called."

Even though Graham was unable to bring about the regeneration of the world through change of habits in food and eating, he inspired a number of followers to continue the agitation. In 1850 "the friends of Dietic Reform" held "a Vegetarian Convention in New York." The following year marked the founding of the *American Vegetarian and Health Journal*, published at Philadelphia by the "American Vegetarian Society," of which Dr. William A. Alcott was president. This publication, like most of its contemporaries, is an illuminating commentary on the facility shown by the American people in taking up good causes. Also, like the others, it shows how freely reformers could write when they once emancipated themselves from the cramping influence of fact. For example a writer in the *Journal* argued that "a judicious vegetable diet . . . not only *cures* diseases, but is also the most *certain preventative* against all and every kind of diseases." Another writer pointed out that the Maine law would never end intemperance because it did not get at the cause of the evil. "Flesh-eating, tobacco, tea, coffee, and condiments, together with hereditary transmissions are the causes of this morbid appetite for alcoholic liquors!" "We look for no substantial and permanent Temperance Reform nor any other Reform of much moment until the people become practical Vegetarians."

While the more ambitious of these social prophets aimed at the regeneration of mankind as a whole, others more modestly limited their efforts to selected groups. There were organizations for helping the underprivileged in certain walks of life. Among these was the American Bethel Society, organized in 1846 to provide religious instruction and moral guidance for

workers on the eastern canals, particularly those in New York. It was associated with the Western Seamen's Friend Society, which conducted similar work along the thousand miles of canals in Ohio, Pennsylvania, and Indiana. In the Annual Reports of the Bethel Society, individual missionaries described their activities and plans. Philos C. Cooke, assigned to the Oswego Canal, between Oswego and Syracuse, visited the boats in the harbor, the various meeting places of the watermen, the stations, and the towpaths. The drivers on the towpaths were usually boys, ten to eighteen years of age. Mr. Cooke supplied them with tracts, temperance papers, and the New Testament.

Canal
Workers

The issue of women's rights, including the demand for suffrage, became important during the 1850's, particularly with the work of Lucy Stone, Elizabeth Cady Stanton, and Susan B. Anthony. Premonitions of this new reform came in the 1830's, with particular reference to women's dress. The objective was greater simplicity. The most famous advocate of dress reform was Amelia Bloomer, of Seneca Falls, New York. Beginning in 1848 she published a semi-monthly journal known as *The Lily*. In a printed circular announcing the beginning of the fifth year of her enterprise, Miss Bloomer promised to "labor zealously and earnestly for the emancipation of Woman from the crushing evils of Intemperance—from the cruel enactments of unjust laws made without her consent—from the destructive influences of Custom and Fashion—from mistaken views of duty and personal effort, and for her elevation to her true position in society of perfect and entire equality in all that relates to her social, civil and religious rights and duties." With more than becoming modesty the subscription price was placed at fifty cents per year.

Women's
Rights

The catalogue of reforms and good causes seems long, and so it was; so too was the endurance of the reformers, but their enthusiasm matched their endurance. One more remains to be listed. On May 8, 1828, the American Peace Society was organized in New York "to illustrate the inconsistency of war with Christianity, to show its baleful influence on all the great interests of mankind, and to devise means for insuring universal and permanent peace." The new organization would bring peace by applying the principles of the gospel to international relations. In the pursuit of this ideal the friends of peace planned to utilize the methods already developed by their associates in other movements for reform: "A system of agencies, and publications, and other means, like those in the temperance reform," a system extensive enough to reach all Christendom. They would use the pulpit, the press, the church, the fireside, schools and colleges, in brief "all the main channels of communication with the public mind."

Peace

THE DRIVE AGAINST SLAVERY

To some of the more earnest advocates of social betterment the reforms just described were merely incidental, because they dealt with evils of

Slavery and
Abolition

second-rate importance; the greatest evil of the day, so they said, was slavery, therefore the greatest reform movement was abolitionism. There was logic in their position. If one were called upon to provide an all-absorbing cause for reformers, an issue which would stir them to their very depths, it would be hard to invent anything better for the purpose than slavery. Looked at from the outside and from a distance—and few abolitionists had any real, first-hand acquaintance with the institution—slavery seemed to represent the negation of every sound principle both of American democracy and of the Christian religion. As an institution it possessed an abundance of material for effective dramatization, particularly in the hands of those endowed with vivid imaginations and slight regard for truth. The abolitionist picture was something like this: Man, fashioned in the image of God, was beaten by a brutal overseer, forcibly torn from his wife and children, denied the advantages of education and the protection of the law, and compelled to labor against his will. These and a variety of other woes of the slave furnished the abolitionists with material for masses of vivid newspaper stuff and for countless thundering speeches. Once the anti-slavery movement was well under way, other reforms really did seem insignificant.

There had been anti-slavery societies before 1830. Some of the Quakers in Pennsylvania had organized one in 1775. By 1823 there were similar organizations in nine other states, six of which were in the South. By 1830 there were probably one hundred anti-slavery organizations. In 1816 a group of reformers founded "The American Society for the Colonization of the Free People of Color of the United States." The Colonization Society planned to solve the Negro problem by shipping free Negroes to Africa. The Society founded Liberia, named its capital Monrovia, in honor of President Monroe, and then looked around for prospective colonists. In the course of ten years the Society sent 1,162 colored persons to Liberia, a number so small as to leave the situation here unchanged.

William
Lloyd
Garrison

During the late 1820's there was a diminution of intensity in this anti-slavery movement. Then suddenly it received a powerful new impetus from an obscure journalist in Boston, William Lloyd Garrison. Garrison had worked for a time with Benjamin Lundy, publisher of *The Genius of Universal Emancipation*, an anti-slavery paper of Baltimore. On January 1, 1831, Garrison published the first number of *The Liberator*. One reading of this issue was enough to convince anybody that the editor was a master of vituperation and invective. He proclaimed his purpose in these burning words:

"I shall strenuously contend for the immediate enfranchisement of our slave population—I *will be* as harsh as truth and as uncompromising as justice on this subject—I do not wish to think, or speak, or write with moderation—I am in earnest—I will not equivocate—I will not excuse—I will not retreat a single inch, and I *will be heard*."

Garrison was filled with the belief that slavery was a sin, or, in his own words, "a damning crime." With that relentless logic which is one of the chief attributes of the genuine crusader, he concluded that every slaveowner was a criminal and a rascal. Concerning the Southerners he wrote: "We would sooner trust the honor of the country and the liberties of the people in the hands of the inmates of our penitentiaries and prisons, than in their hands, for safe keeping. . . . They ought not to be allowed seats in Congress. No political, no religious co-partnership should be had with them, for they are the meanest of thieves, and the worst of robbers. We should as soon think of entering into a 'compact' with the convicts at Botany Bay and New Zealand . . . we do not acknowledge them to be within the pale of Christianity, of republicanism, or humanity."

In the same year, 1831, which first saw *The Liberator*, there was an uprising of slaves in Virginia, known as Nat Turner's rebellion. Then too the Virginia legislature had an important debate on the morality of slavery. Again in this pivotal year workers in New York planned a national anti-slavery society. In 1832 leaders in northern Ohio, "the western reserve," launched a vigorous anti-slavery movement in that section. On December 4, 1833, a national anti-slavery convention met at Philadelphia, to organize the American Anti-Slavery Society. There were sixty delegates present, from ten states. Among the most conspicuous delegates were Beriah Green of Whitesboro, New York, who presided, Arthur and Lewis Tappan of New York, William Lloyd Garrison, and the famous poet, John Greenleaf Whittier, of Massachusetts.

American
Anti-Slavery
Society

The temper and purpose of the new national Society were defined in commissions issued to agents sent to win adherents in the various states: "Our object is, the overthrow of American slavery, the most atrocious and oppressive system of bondage that has ever existed in any country. We expect to accomplish this, mainly by showing to the public its true character and legitimate fruits, its contrariety to the first principles of religion, morals, and humanity, and its special inconsistency with our pretensions, as a free, humane, and enlightened people. . . . Insist principally on the *Sin of Slavery*, because our main hope is in the consciences of men. . . ."

This American Anti-Slavery Society was upheld and supported by a large number of local and state societies: in 1835 these numbered about 200, but by 1840 there were 2,000, with a total membership of 175,000. These organizations held meetings, listened to speakers, subscribed to anti-slavery newspapers such as *The Liberator*, and did their best to inspire hatred of slavery everywhere.

Anti-Slavery
Press

It is impossible to find out how many genuine abolitionists there were in the North, but it is safe to say that before 1854 they were a small minority. Garrison's famous paper, *The Liberator*, never had a circulation of more than 1,400 copies per week. *The Liberator* was the most outspoken of all the anti-slavery periodicals, and it was widely quoted in the South, but it did

not have a wide influence. Throughout the North and West there were altogether about seventy anti-slavery papers. In 1853 the one with the largest circulation of all, the *National Era*, had a weekly circulation of 28,000 copies. One of the editors of the *Era* was John Greenleaf Whittier.

But even though the abolitionists were in the minority, they succeeded in making a surprising amount of noise, and in stirring up a tremendous amount of bitter feeling. Many Northerners criticized them severely, notably businessmen who had customers in the South and political leaders who tried to encourage cordial relations between the two sections. Daniel Webster declared that the abolitionists accomplished nothing good or useful.

By 1835 bitterness between the abolitionists and the slaveowners had gone so far that one of the agitators in New York, Gerrit Smith, actually called the contest a civil war: "It is not to be disguised, that a war has broken out between the North and the South.—Political and commercial men are industriously striving to restore peace: but the peace, which they would effect, is superficial, false, and temporary. True, permanent peace can never be restored, until slavery, the occasion of the war, has ceased." As early as 1836 some Southerners were predicting that abolitionism, if continued, would result in open warfare between the sections. John Taylor of Romney, Virginia, urged Gerrit Smith to consider the dangers involved in trying to overturn the established basis of social and economic life in the South. At the same time he made some penetrating observations regarding the character of the abolitionists: "But when I consider the sums of money they have at command, the press they have employed the furious missionaries they have engaged the inflammatory publications they have disseminated and I must say the slanders and falsehoods they have propagated in narratives and pictures; when I consider the proneness of mankind to take evil reports their fondness for excitement, the nature of the subject, and the great ignorance which prevails at the north of the truth of the case, I must say that I sometimes fear that abolitionism with them is the excrescence of religious excitement which when true piety began to grow cold shot up into this fungous to disturb the peace of our happy country." Why should anyone work to increase the number of abolitionists, he asked. Was the purpose to convince the North of the evils of slavery, or "to prepare them for something more efficient than a war of words"? He urged Smith to use his influence to end the war of words before it should develop into a war of arms.

It is interesting to find almost precisely the same theory expressed in the same year—1836—by Charles Grandison Finney, the evangelist of Oberlin. He expressed the fear that "We are in our present course going fast into a civil war." "Will not our present movements in abolition result in that? . . . Nothing is more manifest to me than that the present movement will result in this, unless your mode of abolitionizing the country be greatly modified." The only hope, as Finney saw it, was to make abolition "an append(a)ge of a general revival of religion." Then he proceeded to express

his opinion of the abolitionists. Some were good men, "but there are but few of them *wise* men. Some of them are reckless. Others are so denunciatory as to kill all prayer about it. There is very little confidence and concert among many of our abolitionists."

Another thoughtful observer of Richmond, Virginia, made the observation that if the abolitionists were really desirous of freeing the slaves, they were defeating their own purpose by their violent invectives: "Before the abolition movements at the North arrested the current of public feeling, public sentiment was rapidly coming up to the adoption of any feasible plan of gradual emancipation. . . . It seems to me, if God had put it into the hearts of our Northern brethren to have viewed slavery in Christian charity" toward the slave holders, and to have considered it from the point of view of its demoralizing effects upon the masters, "instead of suffering themselves to be carried away by their misguided sensibility for the few cases of barbarity," the North and the South might have cooperated in some feasible plan of gradual emancipation. "But the late fierce and abusive denunciation of abolitionists has put an end, for the present, to all dispassionate and rational investigation of the subject, and forbids the hope of even a parlay between the parties."

Services of the
Abolitionists

A well-known northern lawyer and Congressman, Daniel Cady of New York, father of Elizabeth Cady Stanton, wrote practically the same thing; he could not convince himself that "preaching at the north will benefit the slaves at the south." Then he gave his views on the problem: "When the whites at the south shall become truly pious and enlightened Christians slavery will be stripped of all its evils or cease to exist—and until a majority of the whites become Christians in the slave states, slavery will continue unless abolished by force—or unless slave labor should become unprofitable. I go for slavery rather than a civil war—and I have less faith in the conversion of the white population of the south, than I have that machines worked by steam and electricity will yet be invented to work the level lands of the south and render slave labor unproductive—I cannot therefore be supposed to have much confidence in the speedy abolition of slavery."

GARRISONIANS AND ANTI-GARRISONIANS

These earnest workers for the freedom of the Negroes might have made a more pleasing impression if they had not quarreled among themselves, but some of them came to hate Garrison even more than they hated slavery. Lewis Tappan of New York described Garrison as "The Massachusetts Madman." And again Tappan wrote: "I loathe the spirit that comes from the east. Our organization is a stench in the nostrils of the nation, and the approaching meeting will increase it." Having reached the point where neither faction could think of the other without throwing all semblance of ordinary politeness and decent manners to the winds, Garrison and Tappan, with their cohorts, proceeded to part company. To do so with real effectiveness

Abolitionist
Factions

necessarily involved a division in the American Anti-Slavery Society. But Garrison had no intention of withdrawing; on the contrary he prepared for the coming seventh anniversary meeting of May, 1840, by chartering a steamer and offering a free ride to New York to anybody who would go in the guise of a delegate from Massachusetts. Thanks to this foresight he turned up at the convention with some five hundred fifty "delegates," out of a total of one thousand and eight. The Garrisonian principles of women's rights, non-resistance, and anti-political action were then endorsed by the majority, and the American Anti-Slavery Society became Garrison's instrument.

The most important difference between the Garrisonian and the non-Garrisonian abolitionists was in the matter of voting. The non-Garrisonians believed that opposition to slavery should not prevent a man from taking part in ordinary politics. Garrison argued that because the American Constitution permitted slavery, the whole system of government was necessarily bad. Therefore it was a sin to vote. Garrison and his followers took no part in elections.

Garrison's next step was to advocate the separation of the free states from the slave states, and after 1842 this became one of his major policies. To his mind both the Union and the Constitution on which it rested ought to be destroyed, because both sanctioned slavery. "We affirm the Union is not of heaven," he thundered in *The Liberator*. "It is founded in unrighteousness and cemented with blood. . . . It is a horrible mockery of freedom. In all its parts and proportions it is misshapen, incongruous, unnatural."

In 1843 he wrote the following statement and used it as the motto of *The Liberator*: "Resolved, That the compact [the Constitution] which exists between the North and the South is 'a covenant with death and an agreement with hell'—involving both parties in atrocious criminality—and should be immediately annulled." In 1844 Wendell Phillips, one of Garrison's associates, submitted the following resolution at the annual meeting of the American Anti-Slavery Society, and the resolution was adopted: "Resolved, That secession from the present United States Government is the duty of every abolitionist; since no one can take office under the United States Constitution without violating his anti-slavery principles, and rendering himself an abetter of 'the slaveholder in his sin.'"

Not all the abolitionists refused to vote or advocated secession from the Union. They agreed with Garrison in his hatred of slavery but they could see no wisdom in breaking up the country. Even if the northern states should withdraw, slavery would be more securely established in the South than ever. The thing to do, they insisted, was to keep up the attack upon slavery and to use the power of the federal government as an aid in the attack. Consequently there were many abolitionists in Congress, for longer or shorter periods; in this group of non-Garrisonians were Gerrit Smith, Joshua R. Giddings, John Quincy Adams, the former President, William

Garrison
Urges
Secession

Non-Garri-
sonians

H. Seward, and Salmon P. Chase. Seward and Chase were later to become members of President Lincoln's cabinet during the Civil War.

In the South, political leaders and newspapers voiced the general resentment against Garrison's attacks upon the South and its "peculiar institution." They vehemently denied that slaveowners were habitually cruel and abusive. Southerners were just as good citizens and just as good Christians as the best people in the North. They treated their slaves well, as humane, kindly men should. From their point of view the real danger to the welfare of the United States came not from slavery, but from the abolitionists who were doing their best to arouse sectional strife.

There were some Southerners who went as far in their direction as Garrison went in his. They would not vote in national elections and they would not hold federal office, because to do so would amount to association with the criminal abolitionists. But the majority of southern leaders preferred to work through Congress and to protect their rights through the national government.

With representatives from both the pro-slavery and anti-slavery groups present at every session, Congress sometimes became the scene of bitter disputes. For several years the moderate abolitionists who still recognized the national government sent petitions to Congress asking for laws against slavery. Although the Constitution guaranteed the right of petition, the pro-slavery representatives objected to having these particular ones debated. They would vote to lay them on the table. Then in 1840 the pro-slavery majority was strong enough to force through the "gag rule" which made it unnecessary for Congress even to receive anti-slavery petitions. After a dispute lasting four years, the northern representatives led by John Quincy Adams mustered strength enough to repeal the rule. But the discussion, in Congress and out, aroused still more bitter feeling.

Congress and
Slavery

In view of the character of Garrison's attacks upon the Southerners, they could hardly be blamed for trying to keep his insurrectionary journal from coming into their homes. They did not want to read it themselves and still less did they want their slaves to see it. To be sure, not many of the slaves were able to read, but a single rebellious spirit on a plantation might cause serious trouble. The majority of the slaves appeared to be contented, even happy; but there were a few radicals among them who had to be watched.

During Jackson's administration some southern people complained to the Postmaster-General because abolitionist papers and literature were being sent through the mails. He replied that he could not order the local postmasters to refuse to deliver such mail, but he would take no action in case the postmasters themselves should refuse to deliver it. In this way the South protected itself against "dangerous" literature.

In 1840 a comparatively few abolitionists organized the Liberty party, and nominated James G. Birney as the candidate for the Presidency. But this was the very year of the division of the anti-slavery forces into two main

The Liberty
Party

groups, so there was little prospect of uniting even all the abolitionists on a single ticket. In the election Birney received 7,069 votes in the country at large, out of a total of 2,411,185. This was not enough to indicate any great political strength among the abolitionists. In 1844 Birney ran again, this time receiving 62,300 votes, out of a total of 2,698,605. Again it appeared that the abolitionists could not unite, or that they were so few in number as to be politically harmless.

Uncle Tom's
Cabin

In 1852 the *National Era* brought out Harriet Beecher Stowe's *Uncle Tom's Cabin* in serial form; the story was subsequently published in book form. In the very first year the publishers sold a million copies. This phenomenal sale might be regarded as an index to the strength of abolitionism—or a tribute to the popularity of a new American writer. Or again it is possible that Mrs. Stowe's absorbing novel created more abolitionists than all the anti-slavery journals combined. Regardless of its literary merits or shortcomings, the book was an astounding piece of anti-slavery propaganda, the effectiveness of which was doubtless increased by a conviction that the author laid bare the truth about slavery.

In describing the manuscript to Dr. Bailey before it was finished, Mrs. Stowe informed him that it was "written either from observation, incidents which have occurred in the sphere of my personal knowledge, or in the knowledge of my friends. I shall show the *best side* of the thing, and something *faintly approaching the worst*." She said that she had enjoyed "ample opportunity for studying" slavery and the Negro. This opportunity for studying slavery had been provided by her long residence in Cincinnati. Her notion of first-hand evidence would seem to have been a bit naive. In 1852, in preparing her *Key to Uncle Tom's Cabin*, she wrote to Gerrit Smith for information. She wished to supply "a firm basis of facts and statistics to show that it is not an overdrawn picture of slavery." Being pressed for time, she asked for specific figures on the domestic slave trade, and for specific reasons which made slaves run away. Her letter to Smith indicated a feeling on her part that the novel needed more in the way of proof than she was able to furnish.

Just before the *Key* appeared, the publishers were boasting of the million-copy sale. The book was available in a cheap edition selling at thirty-seven and one half cents a copy; there was also a more expensive edition "for the Upper 10—in an elegant illustrated form." This decorative volume sold for five dollars.

Underground
Railway

One other aspect of the abolitionist movement needs to be mentioned. This was the "underground railway," the system by means of which fugitive slaves could be transported from place to place through the North until they found refuge in Canada. Insofar as there was any centralized management for the work, it was handled by the Vigilance Committee of New York City. This branch of the anti-slavery organization, consisting of about one hundred members, was created on November 20, 1835, to protect free Ne-

groes from kidnapers, or from anybody, official or unofficial, who might try to return northern Negroes to slavery. The committee furnished legal advice for Negroes arrested and threatened with servitude; incidentally it was just as ready to help fugitives as bona fide freedmen. During the first year of its existence the Vigilance Committee saved about three hundred persons, fugitives and otherwise, from being carried into slavery. Abolitionists provided the fugitives with shelter and food, and sometimes helped them move from place to place. While there was no specific line followed, there were several possible routes. One went from Cincinnati northward to Lake Erie. Another came up through central New York to Oswego, or farther west to Rochester on Lake Ontario.

Among the better-known episodes of the underground railway was the escape of Harriet Powell, in Syracuse (October, 1839). She was no ordinary Negro, but an excellent example of the type that stirred both the wrath and the sympathy of the abolitionists: white, with regular features and straight hair, in appearance anything but a slave. Serving as nurse for her master's children, she traveled with them and so had the chance to spend considerable time in the North. While the family was visiting in Syracuse some of the local Negroes and abolitionists arranged for her escape. Friends took her first to Lebanon, a village fifteen miles south of Peterboro, and then to Gerrit Smith's home. From Peterboro she was sent to another hiding place, with so much secrecy that even Smith himself was supposed to be ignorant of her location. Every possible precaution was taken to prevent her owners from picking up her trail.

It is difficult today to explain satisfactorily either the origin or the driving power that made the abolitionist movement so striking. What force drove Garrison to keep up for thirty years that tremendous flood of vituperation, and of passionate, seditious appeals for disunion which characterized *The Liberator*? The person who could answer this question to the satisfaction of the behaviorist and the psychologist could also tell why Wendell Phillips turned his back upon his traditions, social surroundings, and friends, to aid Garrison, and why Theodore Parker, the clergyman, could preach the doctrine of violence and pride himself upon his success in breaking the laws of his country.

What Caused
Abolitionism?

It is not enough to say simply that these men were so moved by the wickedness of slavery that they were compelled to work for its destruction. They knew nothing of slavery at first hand, because not one of them had ever seen a plantation. Furthermore, slavery had been an American institution for over two hundred years when Garrison came along, and never before the nineteenth century had there been such an extraordinary outcry against it as Garrison launched in *The Liberator*. Probably the extreme abolitionists were driven on by some combination of emotions stimulated by causes largely within themselves. They happened to be abolitionists because that reform was attracting attention in the section where they lived. It is a fair

assumption that if they had been raised in South Carolina or Alabama, they would have been as active proponents of slavery as John C. Calhoun or William L. Yancey.

**Garrison's
Background**

Garrison's early life had been anything but comfortable and happy, and these circumstances may help to explain his vehemence. His mother was a woman of strong convictions, shown when she persisted in joining the Baptist Church with the full knowledge that, when she did so, her father would turn her out of her home. She married a young ship's captain, of roving disposition and an unfortunate liking for drink. According to one story, when he and some friends were celebrating his return from a long voyage, Mrs. Garrison threw the men bodily out of the house, with their bottles after them. The captain deserted his family after that, leaving home when William Lloyd Garrison was three years old. When the boy was six, his mother went to Baltimore, to get work, leaving him practically an orphan. Naturally a keen-minded lad, he picked up the essential beginnings of an education and at the age of fifteen became a printer's apprentice and a contributor to the paper on which he worked. This statement does not, of course, answer the question as to why Garrison became an abolitionist.

Nor does any biography explain why Wendell Phillips joined Garrison. Phillips, the orator, was a genuine New England aristocrat, with the best education which Harvard could provide. In his younger days he was so much of a conservative that, while in college, he led successfully a movement to prevent the establishment of a students' temperance society. In 1835 he watched a mob of unappreciative citizens drag Garrison through the streets of Boston. Even that spectacle did not completely convert him, and it was not until after his marriage, in 1837, that he entered upon his abolitionist career. There are riddles here which the psychologists have never solved. Such bitter agitation as that carried on for years by the abolitionists was bound to create intense feeling on both sides. In time it would counteract the trend toward national unity which economic interests and domestic commerce had done so much to promote. People living far apart in different geographical sections could have little chance for mutual acquaintance; if they habitually called each other criminals and robbers, sooner or later they would believe the charges and act upon the belief. When men get angry enough they fight.

**Was
Abolitionism
Necessary?**

The controversy colored public life in all its phases, affecting not only politics but the actions of the government. Congress found it increasingly difficult to discuss any question, no matter what, on the merits of the case. The first consideration was always, how would the matter affect slavery or be affected by slavery? Each side was suspicious of the good faith of the other and each afraid that the other would win an unfair advantage.

Some economic historians have argued with considerable force that, left to itself, slavery would have died naturally. They support their theory by proof that even before the Civil War slave labor had ceased to be profitable

in the border states, and that it was becoming less profitable in the lower South. Once it became a source of actual loss, the planters would be compelled, as one historian said, to run away from their slaves to avoid the expense of supporting them. This is only an opinion, to be sure, but it makes one wonder whether the abolitionists were not attacking the problem in the wrong way.

Territorial Expansion

AMERICAN SETTLEMENTS IN TEXAS

Interest in
Texas

By 1819 the westward movement had carried the cotton planters across the lower South from Georgia to Louisiana, but in that very year the federal government took action which might have interfered with any further advance. The Florida Purchase Treaty of 1819 surrendered the American claim to Texas and named the Sabine River as the western boundary of "the cotton kingdom." Perhaps expansion should have stopped there, but an international frontier is an artificial barrier at best, particularly so when a broad unoccupied expanse of fertile land lies on the other side. Western expansionists found fault with the administration for raising the barrier, and some adventurous spirits were ready to try their fortunes in Texas even at the cost of leaving their own country. If all went well, the separation might be only temporary. The province in question was geographically a part of the southern cotton belt; if economic destiny had marked it out for the United States, Americans might promote the greatness of their country by taking possession. Apart from a few scattered settlements opposite Matamoras, Texas had been left almost alone by the Spaniards. In 1819 the territory beyond the Sabine looked inviting to prospective pioneers.

Confusion
in Mexico

Mexico at this particular time was a scene of confusion and disorder due to the unfinished war for independence against Spain. Neither mother country nor colony could devote much attention to unsettled provinces far removed from the capital. After 1822, when Spanish control was thrown off, conditions became worse. The Mexican population, numbering all told about seven million, was predominantly Indian or half-breed, with less than 20 per cent of whites of European descent. Having won the privilege of self-government, they had no idea how to exercise it, no notion even of the meaning of the term. The white minority was the ruling class but this minority was divided into factions, each of which tried to control the government in order to exploit the Indians. And the Mexicans were as badly off financially as politically. Under the circumstances there could be no strong government capable of preserving peace.

The history of Mexico as an independent nation was a story of successive revolutions, eight in eighteen years. In 1824 the Mexicans had adopted a federal constitution, based largely upon that of the United States. The first

president remained in office for the full term of four years. There were revolutions in 1828, 1829, and again in 1832, the last of which brought Santa Anna into power. During this interval the government could neither maintain order at home nor fulfill its obligations abroad. Neither the significance nor the possibilities of this situation were lost upon the Americans. Pioneering in Texas looked both easy and profitable.

In 1820, only a year after the Florida Treaty was signed, Moses Austin, formerly of Connecticut and afterward of Missouri, asked the Spanish governor of Texas for a grant of land large enough to provide farms for three hundred American families. In June, 1821, Austin heard that his request had been approved. He died before he could take advantage of his good fortune, but his son Stephen F. Austin planned to occupy the grant.

The Spanish authorities dealt generously with Austin. He received permission to establish his colony wherever he chose in Texas and to take as much land as he might need, at absolutely no cost to him. His colonists must be persons of good character, willing to become Roman Catholics, and they must take an oath of allegiance to the Spanish government. In 1822 the Mexicans became independent, and Austin went to Mexico City to ask the new rulers for a confirmation of his title.

Austin's
Grant and
American
Colonization

At this particular time Mexico wanted settlers from the United States and offered surprisingly liberal terms to any who would come. On January 1, 1823, the new Mexican government enacted a colonization law, providing for gifts of land either to individuals for their own use, or to founders of colonies in Texas. A cotton planter might have 177 acres, and a cattle raiser 4,428 acres. The head of a colony would receive for himself 360 acres of tillable land or 66,000 acres of grazing land. There were additional inducements in the way of exemption from taxes and import duties. Austin's settlement was made under this law.

Reports of this measure and of the second equally liberal one passed in 1824 encouraged thousands of Americans to flock into Texas. New cotton land in the United States cost a dollar and a quarter an acre; in Texas it cost nothing. By 1825 7,000 immigrants from the United States had settled in Texas and by 1830 the number had increased to 20,000. The Mexicans had wanted colonists and had urgently invited them to come. This tidal wave of settlers, however, was more than the authorities had expected and they became alarmed, fearing that Texas would become an American province. After the damage had been done, the Mexicans tried to undo it.

In 1827, following a small insurrection of some of the American colonists in Mexico, the Mexican government issued orders prohibiting further American immigration. This order was not enforced. In 1829, the government of Mexico declared slavery abolished, but because of Austin's protest, Texas was exempted from the operation of the order. In 1830, a more determined effort was made to prevent further American immigration. Mexican decrees forbade any person to enter the country from the north, without a Mexican

Mexico's
Change of
Policy

passport, and prohibited the importation of slaves into any part of Mexico, Texas included. Another decree specifically prohibited any more Americans from settling in Texas. Troops were ordered to enforce the decrees, recently arrived immigrants were expelled, and prospective settlers were stopped at the border. At the same time, the Mexican authorities themselves planned to colonize Texas.

American
Pioneers

In adopting this restrictive policy the Mexican rulers ignored two essential considerations. In the first place the Americans in Texas, troublesome though they might be, had come into the region because Mexican inducements had made it desirable for them to come. The Mexicans therefore had some responsibility in the premises. Next these officials at Mexico City overlooked the character and quality of the recent arrivals in Texas. They were not docile subjects, long habituated to arbitrary rule. They were American pioneers, noted for their independent spirit, not disposed to tolerate tyranny on the part of the Mexicans whom they despised. The Texans were like their predecessors in Louisiana, described by a French official at New Orleans in terms of mingled admiration and amusement: "There is a class of Anglo-Americans who make it their business to push constantly forward into the deserts of America, fifty leagues in advance of the population. They are the first to immigrate, to clear the land, and to people it. . . . They run up their shanties, cut down and burn the timber, kill the Indians or are killed by them, and disappear from the locality either through death or through a quick sale of the half-cleared land to some more permanent husbandman. As soon as a score of settlers are collected at any point, two printers make their appearance . . . then come the doctors, then the lawyers, then the speculators; toasts are drunk; a speaker is elected; they proclaim themselves a city; they beget children at a wonderful rate. . . ." The British minister to Mexico wrote even more pointedly that the settlers were "all American—Backwoodsmen, a bold and hardy race, but likely to prove bad subjects, and most inconvenient neighbors." The mere presence of these independent spirits in Texas was a threat to Mexican sovereignty; should this sovereignty become burdensome or oppressive, it would be thrown off with little compunction. Signs of this danger appeared early. The Americans in Texas ignored Mexican laws which they did not like, particularly in the matter of religion.

Santa Anna

After the revolution of 1832 Santa Anna came into power; in 1833 he became president of Mexico. It would have been difficult to find any Mexican temperamentally less fitted to deal with the Texans than he. Ambitious, selfish, unscrupulous, cruel, and vindictive, addicted to ostentatious exhibitionism, he thought of political office in terms of absolute power and financial return. For a time Santa Anna permitted some relaxation in the policy of repressing the Texans. In 1835, however, he became even more severe than his predecessors. Declaring himself dictator, he practically overthrew the constitution. With an arbitrary executive order he destroyed the rights

of the states and placed them under governors appointed by himself. Next he announced that the militia should be reduced to the proportion of one man for every five hundred in the population, and he ordered all inhabitants not enrolled in the militia to give up their arms. Compliance with this arrangement would have left the Americans at the mercy of the Indians and of Mexican settlers recently sent into Texas.

These new decrees made rebellion inevitable. Before the final break, the Texans announced their readiness to comply with the provisions of the constitution which Santa Anna had destroyed, but they would have nothing to do with him in his capacity of dictator. Early in 1836 the Texans declared their independence and established a republic. War followed, and Santa Anna invaded Texas to suppress the rebellion. He threatened dire vengeance upon these troublemakers in his country. "The foreigners who are making war on the Mexican nation in violation of every rule of law, are entitled to no consideration whatever, and in consequence no quarter is to be given them." He announced that all foreigners who took up arms against him would be executed.

For a time these stirring developments in the Southwest attracted little attention in the United States. Before the latter part of 1835 Texas was hardly mentioned in the American newspapers, and between 1820 and 1836 the Congressional *Globe* contained not a single reference to Texas. While the United States in general had shown no concern over Texas, inhabitants of New Orleans did become interested. They raised money and military forces to aid the Texans. Before the end of 1835 sympathetic Americans in Mississippi and in Kentucky engaged in the same work. Then public meetings in widely separated cities: Baltimore, Washington, Cincinnati, Boston, and Philadelphia, passed resolutions of sympathy with the Texans. During the winter of 1835-1836 three commissioners from Texas traveled from New Orleans to Washington, where, unofficially, they received "the most marked attention." They reported on "the universal and enthusiastic interest which pervades all ranks and classes of society in every part of this country in favor of the emancipation of Texas." Americans bought bonds of the new republic, and they invested—or gambled—in "Texas scrip," paper money with some show of landed security behind it.

Republic of
Texas

While American citizens were showing increasing enthusiasm for the Texan cause, the government at Washington maintained a policy of neutrality. The London *Times*, it is true, charged that the rebellion in Texas "was known, watched, and encouraged by the Cabinet of the day at Washington." Mexicans made the same charges, with no more evidence to support them than the *Times* had. The available evidence proves that President Jackson and the State Department were meticulously careful in observing the proprieties. Federal district attorneys were warned to be on the watch for and to prevent any violation of neutrality. Furthermore, even the British consul at Matamoros reported that he could find no evidence of help given

by the federal government, and that federal attorneys prosecuted every case in violation of the neutrality laws.

The correct attitude of Jackson and his associates was not always followed by the local district attorneys. For example, the United States attorney at Nashville was ordered to investigate reports that men were being raised in Tennessee for service in Texas. The attorney himself had been suspected of raising men. He explained his attitude as follows: "He says he will prosecute any man under his command who will take up arms *here* and he will accompany them to the boundary line of the U. S. to see that they shall *not violate her Neutrality* and when there, if the boys think proper to step over the line as *peaceable Emigrants* his authority in this Govt will cease and he thinks it highly probable that he will take a peepe at Texas himself."

When the Texans established their republic the Mexican government was not strong enough to force the rebels into submission. Santa Anna had no ships, no money, and only a small army. But he undertook an invasion and by March, 1836, he had reached San Antonio. The Texan defenders, only 188 strong, shut themselves in an old chapel, made over into a fort, the Alamo, and held off 2,400 Mexicans for a week. Every man of the defending army was killed. At the near-by town of Goliad the Mexicans had collected nearly five hundred Texan prisoners, captured by various Mexican forces. Santa Anna ordered the whole lot executed. On March 27, 1836, which happened to be Palm Sunday, the Mexicans shot one batch of three hundred; then the Mexicans dragged out fifty wounded prisoners and finished them off, winding up by burning all the bodies. After this massacre at Goliad Santa Anna resumed his slow progress toward the Sabine. By mid-April he had reached the San Jacinto River, two-thirds of the distance across Texas. Santa Anna believed that all resistance had collapsed and he became careless. On the twenty-first, while the Mexican soldiers were preparing their dinner and Santa Anna was taking a nap, General Sam Houston and the Texan army closed in for a totally unexpected attack. The Mexicans lost 630 killed, 730 prisoners, and 208 wounded, well over half their army. The Texans lost two men killed and twenty-three wounded. On the next morning some Texan scouts found Santa Anna himself hiding in the grass. They brought him into camp, alive, and Houston took full advantage of the dictator's plight. Houston insisted that Santa Anna order his few remaining troops out of Texas. The dictator complied.

On May 14, 1836, still a prisoner, Santa Anna signed two treaties which his Texan host presented to him. In the first El Presidente agreed to end the war and to have all Mexican forces retire beyond the Rio Grande. In the second he promised to arrange matters at Mexico City in such a way that Mexico would recognize Texan independence and settle the boundary line. The Texans agreed not to demand territory beyond the Rio Grande. By these two treaties the Texans won their objectives in the war.

Subsequently Santa Anna admitted that he had no intention of comply-

War of
Independence

Texan
Triumph

ing with these treaties; he had signed them merely to save his own skin. The Mexican Congress also announced that they would pay no attention to "any stipulations with the enemy which the President while imprisoned has made or may make, which stipulations shall be regarded as null, void and of no effect." Still later the Mexican minister at Washington gave the State Department information to the same effect.

In May, 1836, reports of the Texan victory at San Jacinto reached Washington and the city went wild with joy. Even the sedate John Quincy Adams recorded the news, somewhat exaggerated, in his diary: "Glorious news from Texas, that Santa Anna had been defeated and taken by Houston, and shot, with all his officers." The Mexican minister reported that he was "astonished and shocked . . . at the intemperate joy expressed by all in Washington, both great and small, magnates and legislators, on receiving news of the battle of San Jacinto."

ANNEXATION OF TEXAS

The officials of the Lone Star Republic made no secret of their desire for annexation to the United States; in fact they sent an agent on to Washington to make the necessary arrangements. Pending annexation Texas posed as a sovereign power. The new nation was large enough, with an area roughly equal to that of the British Isles and France combined. In 1836 it had a population of more than 50,000 inhabitants; by 1840 the figure had gone up to 55,000. But Mexico refused to recognize Texan independence, even though she lacked the resources to reconquer her lost province. Morfit, President Jackson's special agent to Texas appreciated the situation; "Without foreign aid her future security must depend more upon the weakness and imbecility of her enemy than upon her own strength."

The Jackson administration was not prepared to annex Texas, but after a debate lasting several months the authorities agreed to recognize Texan independence. Congress authorized the President to open diplomatic relations with the new neighbor, and on March 3, 1837, Jackson appointed a minister to Texas. He justified the step on the ground that "there is no longer any reasonable prospect of the successful prosecution of the war by Mexico against said State." Recognition by France followed in 1839 and by England in 1842. Mexico, however, bitterly refused to follow these examples.

Recognition
of Texas

The British had some interest in Texas, and some hopes for the future. If the Republic should remain independent and if, as seemed likely, the government should adopt a policy of free trade, Texas could contribute to the economic prosperity of Great Britain. As the population increased there would be a profitable market for British manufactured goods. At the same time Texas could supply British cotton mills with raw cotton. Under this arrangement England would become progressively less dependent upon the United States. Then too some Englishmen were playing—not officially—with the idea of a new empire, to include not only Texas but California

and a generous section of the intervening region. In any case, in 1840 England was opposed to the annexation of Texas to the United States. In 1843 Lord Aberdeen urged Mexico to recognize the independence of Texas; if she would do so, "England will oppose the annexation of Texas" to the United States.

Move for
Annexation

President Tyler, however, favored annexation, and in October, 1841, he suggested that Webster, his Secretary of State, look into the matter. "I give you a hint as to the probability of acquiring Texas by treaty. I verily believe it could be done. Could the North be reconciled to it, could anything throw so bright a luster around us?" Webster was not greatly interested and the anti-slavery element in the North was violently opposed.

Abolitionist
Opposition

John Quincy Adams, then chairman of the House Foreign Relations Committee, came out strongly against annexation. By this time some people, especially the abolitionists, professed to believe that the Texan rebellion had been inspired by pro-slavery interests in the United States for the express purpose of bringing more slave states into the Union. Benjamin Lundy described the war for Texan independence as a "crusade against Mexico, set on foot and supported by slave-holders, land-speculators, &c., in order to re-establish, extend, and perpetuate the system of slavery and the slave trade." Lundy had considerable influence with John Quincy Adams. Another strong anti-slavery leader, Jabez D. Hammond of Cherry Valley, New York, heard in 1836 that plans were under way for annexing Texas. "The project," he wrote hotly, "*ought to be resisted unto blood.*" He feared that nothing would be done. But, he continued: "There is one way of defeating the project and that is by the interference of the British Government—If the British Minister could be induced (and well he might from various motives which cannot fail of occurring to you) to protest against the measure it might be prevented. . . . Could not an informal confidential intercourse be opened between an agent of the National abolition society and the British Government?"

In May, 1836, at the annual meeting of the American Anti-Slavery Society one delegate, Gerrit Smith of New York, introduced the following resolution: "*Resolved*, That it is evident that the present struggle in Texas against the government of Mexico, is mainly for the extension and perpetuity of slavery, and therefore deserves the strongest reprobation of the friends of liberty and humanity; and that we fully believe that the independence of Texas, or the acquisition of it by our government under these circumstances, would be mournfully disastrous to the cause of the colored race, of liberty, republicanism, and Christianity." From 1836 on to the actual annexation of Texas in 1845 various leading abolitionists followed the course of events there with considerable anxiety. Gerrit Smith voiced their feelings: "My heart's desire, from the time of her base revolt, has been, that Texas might be speedily reconquered by Mexico."

In the meantime the United States, under President Tyler, was seriously

considering annexation. In April, 1844, a treaty for this purpose was signed. Just then another Presidential campaign was ready to open. The Whigs met in convention on May 1, 1844, and nominated their old leader, Henry Clay. The platform was silent on the subject of Texas. But a few days before the convention Clay had come out strongly against annexation, calling the proposal "perfectly idle and ridiculous, if not dishonorable." On the very same day Van Buren, the leading Democratic candidate, also published a letter opposing annexation.

The Democrats met on May 27, 1844. Discarding Van Buren, chiefly because he opposed annexation, they chose James K. Polk of Tennessee. He had already put himself on record as favoring "the immediate re-annexation of Texas to the territory and government of the United States. I entertain no doubts as to the power or the expediency of the re-annexation." The party platform was equally clear and explicit on the subject and added to it this definite proposal concerning national expansion:

"Resolved, That our title to the whole of the territory of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other power; and that the re-occupation of Oregon and the re-annexation of Texas at the earliest practicable period are great American measures."

On June 8, less than two weeks after the Democratic convention's emphatic demand for Texas, the United States Senate rejected the treaty of annexation. The adverse vote was due largely to the leadership and popularity of Henry Clay. His friends in the Senate voted against the treaty. So too did a few Democratic followers of Van Buren. All these activities combined to make annexation the leading issue in the Presidential campaign, and Polk, the advocate of annexation, carried the election.

After the election the annexationists in Congress took up the proposal again and arranged to bring Texas into the United States by means of a joint resolution. They had been unable to secure the necessary two-thirds vote to ratify a treaty but they could command the mere majority in each house requisite for a joint resolution. This arrangement provided for the admission of Texas on the following terms: boundary questions were to be adjusted by the United States government; Texas was to cede to the United States all public buildings, ports, and harbors, and to retain both debts and public lands. With the consent of the inhabitants, additional states might be formed out of Texas. The measure passed with little difficulty, and Tyler signed it on March 1, 1845, just three days before he left office. The Texans approved, and in December, 1845, Texas was admitted to the Union.

Such in brief is the history of an important episode in the territorial expansion of the United States. The new acquisition was greater in extent than France and the British Isles combined. In Galveston it had one of the best natural seaports on the North American continent. It would be difficult to estimate the value of the land itself. With this addition, the United

States could supply enough raw cotton for the whole world. The annexationists justified their policy on the ground that Texas had maintained her independence for nine years in spite of Mexican attempts at reconquest; her right to independence was as good as Mexico's because both rested on revolution.

The annexation of Texas stirred the abolitionists to a new outburst of fury. On receipt of the news the Massachusetts Anti-Slavery Society drew up a formal petition to the legislature of that state, declaring that it was "the duty of the People of Massachusetts immediately to hold a general convention for the purpose of framing an independent and free government, either for herself alone, or with such other States as may be disposed to co-operate with her in trampling upon tyranny. . . ." In its Annual Report for 1846 the same organization described annexation as "the bold completion of a national crime." And again these earnest reformers demanded the dissolution of the Union.

OREGON AND CALIFORNIA

A year after the annexation of Texas, the United States and Great Britain reached a satisfactory settlement of the Oregon question. This was the region, almost imperial in extent, lying between the Rocky Mountains and the Pacific, and bounded on the south and north by the parallels 42° and $54^{\circ} 40'$. Spain had originally claimed the whole Pacific coast, but she never settled north of California. Russia at one time claimed the coast as far south as the site of San Francisco, and in 1821 as far as the fifty-first parallel. England had a claim to the territory, based on the Nootka Sound Convention of 1790, signed by England and Spain. The claims of the United States dated back to 1792, when Captain Gray had explored a part of the Columbia River. In 1803-1805 the Lewis and Clark expedition, sent out by Jefferson to look over the Louisiana Purchase, followed the Columbia toward its mouth. In 1811 John Jacob Astor, a New York fur merchant, founded Astoria. Although the British captured this trading post during the War of 1812, the Treaty of Ghent restored it to the United States. By the Florida Treaty of 1819, Spain surrendered all her rights north of California to the United States. Left in joint possession, the United States and Great Britain had not been able to agree upon a division of the territory. In 1818, the two governments signed a treaty providing for joint occupation for ten years. During that time subjects of both powers were to be free to use the territory on equal terms. In 1824 the Russians relinquished their claims to any of the region south of $54^{\circ} 40'$. In 1826, Great Britain and the United States renewed negotiations for a division of the territory. The United States suggested the extension of the forty-ninth parallel, the line between Canada and the United States from the Lake of the Woods to the Rockies, but the British refused to agree. The following year the arrangement for joint occupation

Claims to
Oregon

was continued indefinitely, with the understanding that it might be terminated by either party on one year's notice.

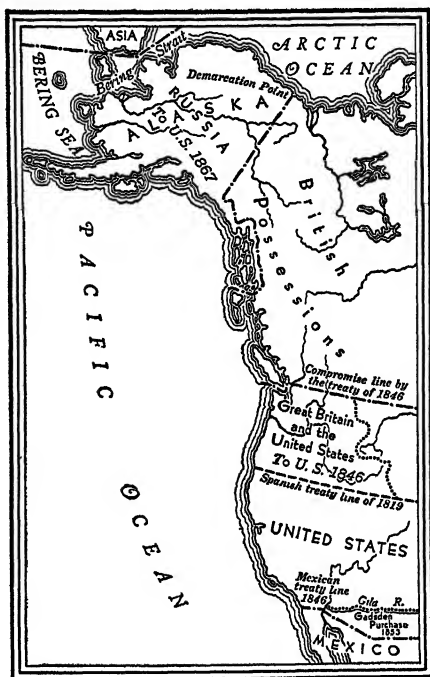
During this period the British government left Oregon to the Hudson's Bay Company. Under its auspices widely separated fur-trading posts were established, and no settlement of any kind was permitted within one hundred miles of any of these stations. The Americans might have done the same thing, with equal right, but there was no company sufficiently interested. To most people Oregon was too far off to bother with. Even Thomas Hart Benton of Missouri, champion of the West though he was, prophesied that the Rockies would be the permanent western boundary of the United States. During the period of joint control there were probably ten times as many British and Canadians as Americans in Oregon.

In 1836 two American missionaries, H. H. Spaulding and Marcus Whitman, began work among the Oregon Indian tribes. Next, Senator Lewis F. Linn of Missouri tried to impress upon his colleagues the importance of Oregon. Late in 1841 he introduced a bill, providing for a line of forts from Missouri to Oregon, and for the grant of a whole section of land to every male emigrant eighteen years of age or over. In 1843 this Linn Bill passed the Senate, by a vote of twenty-four to twenty-two, but the House failed to pass it. Confidently expecting that it would go through, and stimulated by the prospect of free land, a thousand pioneers moved into the territory in 1843.

The Democratic platform of 1844 asserted that the American title to the whole of Oregon was “clear and unquestionable” and urged the re-occupation of Oregon. By that time American interest in Oregon was developing, and the slogan of “fifty-four forty or fight” became popular. Although President Polk had been inclined to favor the “whole of Oregon,” he authorized his Secretary of State, Buchanan, to renew the offer of the forty-ninth parallel. The British minister refused to negotiate on this basis. Polk then advised Congress to permit him to give the necessary one year's notice for terminating the joint agreement.

Congress complied with Polk's request, and due notice was transmitted

Religion and
Free Land



MAP. 19. UNITED STATES TERRITORIAL GAINS IN OREGON AND ALASKA.

“Fifty-four
Forty or
Fight”

to the British government. Then the British found it expedient to meet Polk halfway. In June, 1846, the British minister in Washington submitted the draft of a treaty, providing for the forty-ninth parallel to the strait, but giving Vancouver to Great Britain. Polk felt that the treaty was fair, but he asked the Senate for advice before formally submitting it to that body. Its recommendation was favorable. The treaty was then signed, and the Senate ratified, by a vote of forty-one to fourteen.

When Congress proceeded to organize the Oregon territory, an attempt was made to prohibit slavery there. The first bill failed, and a new one was introduced, providing for a non-slave territory, on the ground that it was north of the Missouri Compromise line, $36^{\circ} 30'$. That too failed, as did a third Oregon bill, which would have let the settlers there decide the question for themselves. A fourth bill, which finally passed, left Oregon a free territory, and Polk signed the measure, giving as his reason the fact that it was north of the Compromise line.

The migration of American pioneers into Texas and Oregon was accompanied by impressive speeches and newspaper discussion of the "manifest destiny" of the United States. People differed as to the meaning of the term; the more generous interpretation staked off everything between the Arctic Ocean and the Isthmus of Panama for this country, and even the moderates wanted at least the "natural boundaries." To be more exact, Americans had their eye on California and also on the wide expanse known as New Mexico.

California

In 1845 California was not entirely empty, but nearly enough so to leave ample room for new arrivals. Spanish colonists from Mexico had founded mission stations there to convert the Indians to Christianity. They were followed by farmers and cattlemen. There were probably never more than six thousand Mexicans in the province. They sold local products, chiefly hides, to foreign trading ships which came to San Francisco and San Diego in violation of Spanish law. After 1840 a few hundred Americans settled in California, in violation of Mexican law. These newcomers found themselves in one of the most delightful parts of North America, with a good climate, fertile soil, and remarkable possibilities for future development.

Commodore
Jones

The administration at Washington caught the infectious fever of "manifest destiny," and as early as 1835 Jackson's Secretary of State was talking about an "adjustment" of the boundary of Louisiana—that is, the line of the Florida Purchase Treaty—so that San Francisco Bay would be brought within the limits of the United States. A glance at map 20 will show what was involved in such an extraordinary adjustment. In 1842 the American minister to Mexico wrote Webster that Mexico might possibly be persuaded to sell California to the United States and that he had a high regard for the province. "As to Texas, I regard it as of very little value compared with California, the richest, the most beautiful, and the healthiest country in the world." Webster expressed interest in the prospect, but an unfortunate epi-

sode so enraged the Mexicans against the United States that the matter had to be dropped. In 1842 an American naval officer, Commodore Jones, heard a rumor that war had broken out between the United States and Mexico. He promptly seized Monterey, the Spanish capital of California, and raised the American flag. On discovering that the report was false, he hauled down the flag, apologized, and withdrew. Being a sensitive people, the Mexicans resented his act and refused to consider any proposal for selling California to the United States.

In the meantime, other people were looking at California. A year before Jones's regrettable exploit at Monterey, the English minister in Mexico urged his government to make California a part of the British Empire. Mexico was certain to lose control over it soon, he insisted, and His Majesty's government ought to prevent it from falling into the hands of any power but England. Then he added: "There is some reason to believe that daring and adventurous speculators in the United States have already turned their thoughts in that direction." Although the officials in England said that they did not want California, the American government heard numerous rumors to the contrary. It took little gossip to create the belief that England was bent on organizing a great colony including Texas, New Mexico, and California. President Polk treated some of this talk seriously.

In June, 1845, the small group of Americans in California declared the territory independent and prepared to fight Mexico as the Texans had done. This was the beginning of the "Bear Flag Revolt." It happened that Captain John C. Frémont of the United States Army was then in California, looking over the country. He had no lawful right to be on Mexican soil, but legal formalities carried little weight on the frontier. The "Bear Flag" rebels invited him to lead their enterprise, and he accepted, thereby giving Mexico another grievance against the United States.

Captain
Frémont

With Texas and California both drawn within the range of interest of the United States, the intervening province of New Mexico could not entirely escape attention. This was an agricultural settlement with no mining and no industries. Down to 1821 it had no connections with the United States. In that year, however, regular trade was started between Santa Fe and St. Louis, the great American distributing center for the West. But since there were not more than forty thousand inhabitants in the whole colony, this looked like another field for the operation of "manifest destiny." There was no rebellion of American pioneers here as there had been in the other two Mexican outposts, but none was necessary. New Mexico was to become one of the spoils of war.

New Mexico

One more evidence of American interest in the West was to be found in the Mormon settlement in Utah. When Brigham Young led his followers into that remote region the land still belonged to Mexico, but the United States acquired control after the settlement. The circumstances of this particular colonial enterprise have been referred to in another connection.

The War with Mexico and Other Ventures

 THE ATTITUDE OF MEXICO

DURING the nine years in which Texas was winning and maintaining her freedom (1836-1845), Mexico never admitted that a separation had occurred. Her officials complained bitterly about interlopers from the north who violated her hospitality, defied her officials, broke her laws, and ruined her army. They might set up a false and unjustifiable claim to independence, but she would not recognize them as anything but rebels. At least this was the official Mexican position toward the United States. The same officials were listening to British agents, who were trying to bring about an adjustment of Texan-Mexican relations, even on the basis of Texan independence.

When President Tyler began to work for annexation, Santa Anna warned him that such a step would bring grave consequences: "The Mexican government will consider equivalent to a declaration of war against the Mexican Republic the passage of an act for the incorporation of Texas into the territory of the United States; the certainty of the fact being sufficient for the immediate proclamation of war." This was in August, 1843, and it was followed in November by an equally belligerent threat from the Mexican legation in Washington: "if the United States should, in defiance of good faith and of the principles of justice . . . commit the unheard-of act of violence of appropriating to themselves an integrant part of the Mexican territory," the Mexican minister has orders to protest against it and he is specifically instructed by his government to announce that, on receiving news of annexation, "he will consider his mission ended, seeing that, as the Secretary of State will have learned, the Mexican Government is resolved to declare war so soon as it received information of such an act."

After Congress had passed the joint resolution for annexing Texas, the Mexican minister at Washington referred to it as "an act of aggression the most unjust which can be found in the annals of modern history." With this parting shot, on March 6, 1845, he angrily broke off diplomatic relations and went home. The Mexicans were thoroughly aroused over the question, and Mexican newspapers assumed that a state of war existed. The Mexican Congress passed measures for increasing the army, in order to resist annexation, and the administration advised a declaration of war just as soon as the process of annexation should be completed. From the city of Mexico the

Mexican
Warnings

Preparations
for War

American consul reported: "War with the United States seems to be the desire of all parties rather than to see Texas annexed." Such was the situation which Polk had inherited from his predecessor. Even if he had wished to agree with the Mexican contention—and he did not—the new President was obliged to look upon annexation as an accomplished fact. Congress had done the work before he had come into office, and he could do nothing but enforce the law.

There were other difficulties, in addition to Texas, which had made for ill-feeling between the two governments. Various American citizens were clamoring for the payment of claims against Mexico. These, the product of the chronic state of disorder in Mexico, were based upon property destroyed or seized, and upon lives lost. A joint commission had been at work in an attempt to decide just how much Mexico owed on this account. Claims amounting to \$2,000,000 had already been declared valid, and there were at least as many more which had not been adjusted. Mexico had hardly made a beginning in settling these, and it seemed that after each revolution the ability, if not the inclination, to pay steadily decreased. On her side Mexico had a grievance against the United States on account of help given to Texans by private citizens from across the border.

Then Commodore Jones's enterprise at Monterey still grated on Mexican nerves. The United States had officially apologized for the seizure of the town, but the Mexicans remembered it as an outrage. The dispute over the boundary between Texas and Mexico also caused trouble. Mexico claimed everything between the Rio Grande and the Sabine. The Texans, on the other hand, claimed the Rio Grande as their border, and Santa Anna had recognized this claim in the treaty of 1836—which he subsequently repudiated. Privately, the Texans had professed a readiness to accept the crest of the high lands between the Rio Grande and the Nueces for their southern boundary. The United States had an interest because the Congressional joint resolution of annexation empowered this government to adjust disputes over the boundary. President Polk was inclined to support the claim to the Rio Grande.

Other Causes
of Friction

When Polk became President he was under obligations to protect Texas from attack. To meet this obligation, in June, 1845, he sent General Zachary Taylor to Texas, with orders to advance to a point on or near the Rio Grande, but he was to refrain from any action, except defensive, unless Mexico formally declared war. In January, 1846, ordered to occupy a point on the Rio Grande, he moved to Point Isabel, nearly opposite Matamoras. Shortly after that, the Mexican government for the first time named the Nueces as the boundary between Mexico and Texas.

Under the circumstances it is hard to see how war could have been avoided. Mexico had insisted that she would not relinquish Texas without a fight, and she had broken off diplomatic relations with the United States. The United States was bound to protect the Texans. In spite of the unfavor-

decided, by means of a cession of Mexican territory to the United States. Polk suggested that, if this could be done without endangering the success of his mission, Slidell try to purchase Upper California and New Mexico. For this territory, the United States would pay anywhere from fifteen to forty million dollars, in addition to assuming the claims. Polk himself wrote that the "pecuniary consideration" to be paid would be of small importance. Slidell was ordered to be on his guard against the schemes of foreign powers, which might turn Mexico against the United States, and to prevent the cession of California either to England or to France. In a letter supplementary to the instructions, Buchanan, Secretary of State, ordered Slidell to drop the proposal for buying territory, if it seemed likely to stand in the way of securing the Rio Grande line for Texas.

Slidell landed at Vera Cruz on November 29, 1845. At that time the Herrera government was facing revolution, and the vocal portion of the Mexican population was clamoring for war. Slidell's arrival was almost as disturbing to the government as the rumors of revolution. The Minister for Foreign Relations protested to Consul Black, at Mexico City, and tried to prevent Slidell from coming to Mexico City. But Slidell moved on at once from Vera Cruz, evidently not aware of this warning to Black, and on December 6, 1845, he arrived at Mexico City. The authorities refused to receive him. "The Supreme Government is advised that the agreement which it entered into to admit a plenipotentiary of the United States with special powers to treat of the affairs of Texas, does not compel it to receive an Envoy Extraordinary and Minister Plenipotentiary to reside near the Government, in which character Mr. Slidell comes according to his credentials."

**Slidell Not
Received**

Slidell resented the Mexican refusal to receive him as an insult to himself personally and as an affront to his government. He wrote wrathfully of "the unparalleled bad faith" of the Mexican authorities, of that government's "gross falsification of the correspondence which led to my appointment, and the utter futility of the miserable sophistry by which it attempts to justify its conduct." Slidell, however, did not return home at once. Polk learned of the refusal to receive Slidell on January 12, 1846; on the very next day he sent orders to General Taylor to advance to the Rio Grande. If Mexico would not negotiate, Polk was evidently prepared to uphold the claim to the Rio Grande by force.

Soon afterward the Mexican government suffered another revolution. Not even the refusal to re-open diplomatic relations could save Herrera. Accused of "seeking to avoid a necessary and glorious war," he was overthrown by a group of Santa Anna's friends. The dictator himself was then in exile—whence he returned later, with the connivance of the United States—but he selected as president one Paredes. The new incumbent of Mexico's executive chair took an oath to defend the claims of Mexico to all territory as far north as the Sabine River. This oath shows that nobody at this time, least of all the Mexicans, took seriously the notion of a boundary along the

Nueces. With the new administration founded on a pledge of war against the United States, Polk's hope of settling the problem by negotiation vanished.

COURSE OF THE WAR

The Crisis

President Polk had attempted to settle the trouble without war. He did want to buy California, but he was not so insistent on the matter as to let it prevent an adjustment of the other difficulties. He did demand the Rio Grande boundary, but so had the Texans. They had voluntarily joined the United States and Polk was inclined to accept their views of what territory they owned. These important facts have sometimes been overlooked by those who accused Polk of deliberately attacking Mexico. In dealing with Great Britain over the question of Oregon Polk had found the British authorities prepared to arrive at a settlement by means of negotiation. He had taken the initiative in an effort to negotiate with Mexico, but his efforts were frustrated by action of the Mexican officials themselves.

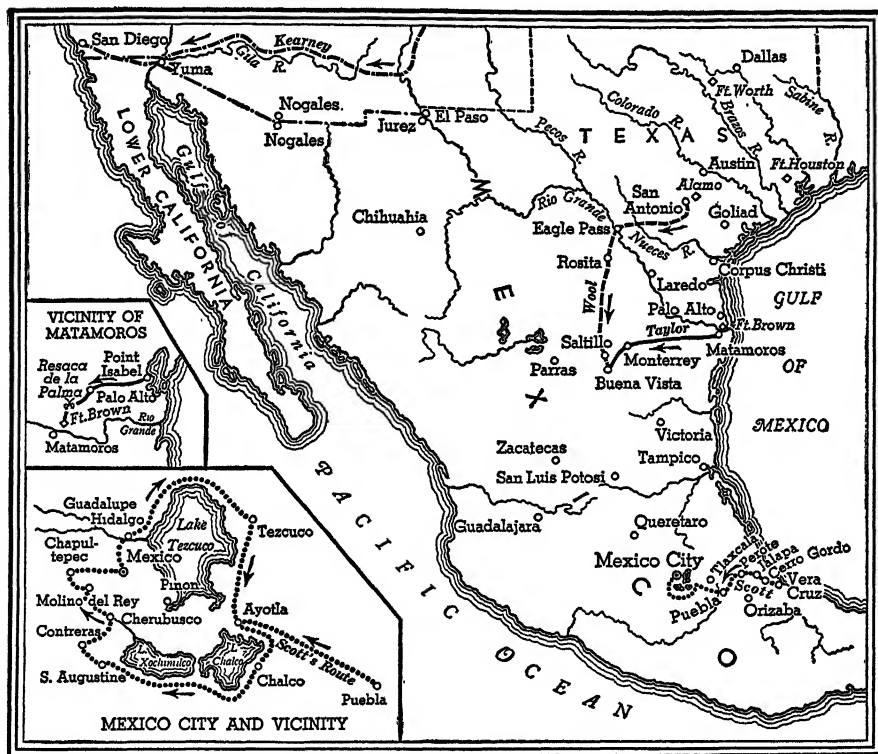
How War Started

By the end of April, 1846, matters came to a crisis both in Washington and on the Mexican border. Shortly after General Taylor occupied Point Isabel, the Mexican commander at Matamoras ordered him to leave: "By explicit and definitive orders of my government, which neither can, will, nor should receive new outrages, I require you . . . to break up your camp and retire to the other bank of the Nueces River. . . . If you insist upon remaining . . . arms, and arms alone, must decide the question; and in that case I advise you that we accept the war to which, with so much injustice on your part, you provoke us." On April 24 a detachment of Mexican troops attacked one of Taylor's scouting parties on the north bank of the Rio Grande, killed and wounded sixteen men, and took over forty prisoners. This action had been taken under direct orders from President Paredes. The war was on, although Polk did not hear of it until May 9.

During the early spring of 1846, Polk reached the conclusion that the time had come to take a high hand with the Mexicans. His patience—what little he had—was exhausted. He had made an honest effort to negotiate with that government, "had forborne," as he put it, "until forbearance was no longer a virtue or patriotic." During the last week in April and the first in May Polk and his Cabinet devoted most of their attention to the Mexican situation. Their conclusion—arrived at before hearing of the attack upon Taylor's force—was that the President should ask Congress to declare war, and that the message for that purpose should be ready on Tuesday. That evening, after the Cabinet meeting, Polk learned of the Mexican attack on Taylor's men. At another Cabinet meeting on the same evening, it was decided to send the war message on the following Monday, May 11, 1846.

In his request for a declaration of war Polk summarized the story of the Slidell mission, showing how his efforts to settle the difficulties had been nullified by the refusal of the Mexicans to meet him halfway, and at the same time making plain the fact that Mexico had made no counter proposal.

Then he referred to Taylor's presence on the Rio Grande, described the attack upon his scouting party, and made the statement that "Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon the American soil." War therefore existed "by act of Mexico herself." Polk concluded with an appeal to Congress to provide for war, and to enable the President to prosecute it vigorously. The



MAP 20. THE MEXICAN WAR.

vote on the declaration was considerably nearer unanimity than had been the case in 1812: 173 to 14 in the House, 42 to 2 in the Senate.

Many Whigs questioned the truth of Polk's statement that hostilities had occurred on American soil. Abraham Lincoln, representing the Springfield district of Illinois, introduced a series of resolutions in the House, accusing the President of falsehood. Lincoln called attention to Mexican settlements north of the Rio Grande, and insisted that the attack occurred, not on American soil, but in a Mexican cornfield. Later, in a letter to his law partner, Lincoln wrote: "the war was unnecessarily and unconstitutionally commenced by the President." This interpretation was based upon the fact that Taylor's position opposite Matamoros was in an old Spanish settlement, which had never been properly a part of Texas.

Polk versus
Lincoln

The question arises: what would Lincoln have done, had he been President in 1846, confronted by a situation which had developed before his inauguration? Would he have decided with Mexico against Texas? What he said and wrote as a member of the Whig opposition affords no information concerning what he would have done had he been in a responsible position. It is a curious and interesting speculation to decide just what anyone but Polk, in exactly the same circumstances, would have done.

Taylor's
Victories

In the war itself the United States troops were always outnumbered but they were superior in personnel and in equipment. The contest was not an easy one. The Americans were generally victorious, but they had plenty of heavy fighting and the losses were severe. After the declaration of war, Taylor advanced toward Mexico. In two battles, Palo Alto, and Resaca de la Palma, he drove the Mexicans out of their positions, and across the Rio Grande. In September Taylor won a three-day battle at Monterey, and in November he captured Saltillo, the capital of Tamaulipas.

In the meantime the administration decided to land an expedition at Vera Cruz, under the command of General Scott, for the purpose of capturing Mexico City. Some of Taylor's men were taken for the new campaign. Santa Anna, again in Mexico, learned of the Vera Cruz expedition, and on hearing reports of Taylor's weakness, he tried to annihilate the American forces. Moving north with more than 20,000 men, he attacked Taylor with about 5,000, at Buena Vista. Taylor won a brilliant victory (January, 1847), and with it the war in northern Mexico was concluded. In March, 1847, Scott's forces landed at Vera Cruz. On April 17 and 18, at Cerro Gordo, Scott's army of 9,000 inflicted an overwhelming defeat upon some 13,000 Mexicans, who had, in addition to their superior numbers, a distinct advantage in position. After his victory Scott moved on toward Mexico City.

Scott and
Kearny

In addition to the expeditions under the commands of Taylor and Scott the administration sent a third American force under Colonel S. W. Kearny against California by way of New Mexico. With an army of only eighteen hundred men he advanced upon Santa Fe, known to be defended by a Mexican force more than twice as large. On reports of Kearny's approach the Mexican army withdrew without a battle. Kearny organized a temporary government there and then, with three hundred men, he started for California. In October, 1846, he learned that California was already in American hands. He sent two-thirds of his small detachment back to Santa Fe and went on to California, reaching San Diego in December.

The United States Navy had done the greater part of the work in occupying California. In July Commodore Sloat took possession of Monterey and shortly afterward one of his captains occupied San Francisco. Other points in northern California were taken with practically no resistance. In August Commodore Stockton, Sloat's successor, seized Los Angeles.

When Colonel Kearny arrived at San Diego from New Mexico, where

he had taken possession of Santa Fe, he proceeded to carry out his orders, and to organize a provisional government for California. At first, Frémont, head of the Bear Flag government, and Stockton of the navy opposed him, but Kearny was successful in his determination to take charge of the work. Frémont's whole course in California was somewhat obscure at the time, and has been the occasion of various disagreements among historians ever since. Because of his opposition to Kearny he was court-martialed, found guilty of mutiny, and sentenced to dismissal. Polk remitted the sentence, but Frémont resigned from the army.

Because of the tense feeling aroused by the abolitionist crusade, it was inevitable that expansion and slavery should be discussed together. Texas would certainly be a slave state, a prospect which many northern Democrats viewed with disfavor. They had been induced to approve the project of annexing Texas by the promise of the southern Democrats to work for the re-occupation of the whole of Oregon, and a bargain to this effect was made in the Democratic convention of 1844. When the Oregon issue came up, Calhoun and a number of other prominent southern Democrats supported Polk in his policy of a division along the forty-ninth parallel. Exasperated at what they regarded as Calhoun's duplicity and breach of faith, the northern Democrats waited for a chance for revenge. This came in 1846, with Polk's appeal to Congress for an appropriation of \$2,000,000, "for the purpose of defraying any extraordinary expenses which may be incurred in the intercourse between the United States and foreign nations." It was common talk in Congress that money would be needed to buy the Rio Grande boundary. David Wilmot of Pennsylvania put his finger on the weakness of Polk's argument here. The United States had claimed everything north and east of the Rio Grande before the war; if the claim was valid, why buy it?

Wilmot
Proviso

Wilmot introduced an amendment to the appropriation bill, which subsequently became famous as the "Wilmot Proviso." In its amended form the bill read as follows: "Provided, That, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted." The bill with the Proviso passed the House, but it was still under discussion in the Senate when the session came to an end.

The most plausible explanation of the origin of the Proviso is that it was the product of a quarrel within the Democratic party. Angered because Polk had failed to secure all of Oregon, the northwestern Democrats determined to deprive their southern associates of any more slave territory. In this policy they were joined by a number of anti-slavery Representatives. Although the Proviso was never adopted by Congress, it became the guiding principle of

Anti-Slavery
and Texas

the moderate anti-slavery forces. They were willing to let slavery alone in the states but they were determined to prevent any further extension in the territories. Ten free state legislatures passed resolutions in favor of the measure.

The dispute between the free-soilers and the pro-slavery champions threatened to split, not only the old political parties, but the Union itself. Even the moderates on both sides were deeply moved; as for the radicals, they were talking of secession more calmly than they ever talked of anything else. The attitude of the extreme abolitionists toward the war with Mexico is brought out in the *Biglow Papers* of James Russell Lowell. All the abolitionists hated Polk and all his works. As the Reverend Theodore Parker put it: "If you take all the theft, all the assaults, all the cases of arson, ever committed in the United States since the settlement of Jamestown in 1608, and add to them all the cases of violence offered to women, with all the murders, they will not amount to half the wrongs committed in the war for the plunder of Mexico."

While Scott was moving on toward Mexico City, Polk sent one of the clerks of the State Department, Nicholas P. Trist, to Mexico to make peace. His instructions were not notably different from Slidell's. The chief difference was that Trist was to pay \$5,000,000 less for New Mexico and California. On August 24, 1847, after the Mexicans had been beaten in a series of battles near Mexico City, an armistice was signed, and peace negotiations were begun. But the Mexicans refused to come to terms, and when reports of the proceedings reached the President, he sent orders for Trist's recall. Unable to reach an agreement, the two armies resumed hostilities, with the result that on September 14, Scott occupied Mexico City. In the course of the next two months American forces occupied most of the strategic positions in Mexico. Santa Anna abdicated, although not permanently, and his successors began negotiations with Trist. In spite of his recall, Trist went ahead on the basis of his original instructions, and on February 2, 1848, the commissioners signed the treaty of Guadalupe-Hidalgo.

The treaty "adjusted" the Texan boundary in accordance with Polk's wishes. The boundary between the United States and Mexico was drawn along the Rio Grande to New Mexico, thence along the Gila River to the line between Upper and Lower California, and along this line to the Pacific. The territory thus secured for the United States included the present states of Arizona, New Mexico, Utah, Nevada, and California, as well as portions of Colorado and Wyoming. In return the United States assumed claims of American citizens against Mexico to the amount of \$3,250,000, and agreed to pay Mexico the sum of \$15,000,000. In March, 1848, the treaty was ratified by the Senate. In the United States there was a widespread but poorly organized feeling that Polk ought to keep all of Mexico. This conviction was especially strong in New York and in parts of the Middle West. Resolutions adopted by public meetings, newspaper articles, opinions of army and navy

Treaty of
Guadalupe-
Hidalgo

Demand for
Annexation
of Mexico

officials, and assertions of numerous Congressmen all united in demanding the whole country. In 1847 the New York State Democratic convention passed resolutions in favor of annexing all of Mexico. The following quotation from a statement in the New York *Evening Post* is typical of this state of mind: "Now, we ask whether any man can coolly contemplate the idea of recalling our troops from the territory we at present occupy and thus by one stroke of a secretary's pen resign this beautiful country to the custody of the ignorant cowards and profligate ruffians who have ruled it in the last twenty-five years. Why, humanity cries out against it. Civilization and Christianity protest against this reflux of the tide or barbarism and anarchy."

By January, 1848, agitation in favor of keeping the whole of Mexico was well under way, and with a little more time it might have become formidable. What would have happened if Trist's treaty had not reached Washington at this point no one can tell. Its arrival and the President's determination to accept it prevented the demand from becoming imperious. Ratification of the treaty brought the question to an end. In his annual message of 1847 Polk had informed Congress that he had no intention of annihilating Mexican sovereignty. The Whigs, northern and southern alike, opposed the project of taking the whole country, as did John C. Calhoun, which indicated that not all Southerners favored indefinite expansion in the interests of slavery. As a matter of fact the demand for western expansion, for the fulfillment of the "manifest destiny" of the United States, was as much a western as a southern cry.

DYNAMIC FOREIGN POLICY

Polk's interests in foreign policy were not confined to Oregon and Mexico. For example, there was a possible Panama or Nicaragua Canal. With the acquisition of so much territory on the Pacific coast this long-dreamed-of project would be vitally important in any plans for economic expansion. Great Britain was interested too. As a Caribbean power she had possessions and commercial connections within close reach of any isthmian canal. Out of numerous discussions and negotiations there gradually emerged certain treaties which bore directly upon the proposed canal.

In 1848 the United States, and New Granada, as Colombia was then called, ratified a treaty covering transit on the Isthmus of Panama. New Granada guaranteed to the United States the right of way across the Isthmus, either by railroad or canal. The United States in turn guaranteed the "perfect neutrality" of the Isthmus, in order that free transit from sea to sea might continue without interruption, and in addition, the "rights of sovereignty and property which New Granada has and possesses over the said territory." This treaty was still in force in 1903, when it was rendered void by the Panama Revolution. Under the treaty the Panama Railroad Company, an American corporation, built the Panama Railroad along the line of the proposed canal.

Canal
Diplomacy

The second treaty concerning the possible canal was the Clayton-Bulwer agreement with Great Britain, signed in April, 1850. It was the product of a rather complicated situation in Central America, where Great Britain seemed to be getting a secure hold. For years she had a colony there, now known as British Honduras. She also had a protectorate over the Mosquito Indians. In 1848 the British seized the port at the mouth of the San Juan River. Greytown, as the place came to be called, had a peculiar importance because it was the logical eastern terminus of a canal across Nicaragua. Great Britain, in actual possession of this territory, enjoyed a distinct advantage in any negotiations. The United States, with no foothold there, was asking for concessions; she hoped to induce the British to relinquish Greytown, and to admit the United States to a share in the control of the canal.

Clayton-
Bulwer
Treaty

The Clayton-Bulwer Treaty declared in the preamble the intention of the two governments to come to an agreement concerning any ship canal which might be constructed through Nicaragua. Both governments bound themselves never to obtain any exclusive control over the canal, never to fortify it, or to exercise dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America, also never to make any alliance with any of these Latin American states for the purpose of securing any unequal advantages with reference to the use of the canal. The second article provided for neutralizing the canal in case of war between the contracting parties. In the sixth, the two governments agreed to invite other states to participate in these arrangements. Then the treaty bound the two governments to extend this agreement to cover any canal that might be built across the Isthmus of Panama, or the Isthmus of Tehuantepec in Mexico.

In view of the intensity of the "manifest destiny" feeling in the United States it is not surprising that Cuba should have attracted attention during this period. In 1823 John Quincy Adams had called it the "natural appendage" to the United States. The island commanded important routes of commerce. The South saw in it a possible slave state, and while this factor tended to diminish northern enthusiasm for the annexation of the island, it had little restraining influence on western sentiment regarding it. After 1848 the newspapers were full of information about Cuba.

Cuba

Between 1848 and 1854 various attempts were made to instigate revolutions in Cuba, for the purpose of bringing the island under American control. "Filibustering" became almost a custom. Under the leadership of a Cuban, Narcisco Lopez, encouraged by the vigorous support of prominent Southerners, expeditions were fitted out in American ports. In 1849 and again in 1850 Lopez tried to upset Spanish control of the island, but both ventures failed. Another attempt, in 1851, also failed; in still another, in 1854, Lopez and some prominent Southerners lost their lives. Some of these enterprises had the backing of the "Order of the Lone Star," and of members of some prominent southern families.

In 1854 it appeared for a time as though President Pierce might win Cuba by conquest. An American merchant vessel, the *Black Warrior*, was seized by customs officials in Cuba for violating some inconsequential port regulation. The Secretary of State instructed the American minister in Madrid, Soulé, to demand damages to the amount of \$300,000. Before the orders reached him, the authorities had released the vessel. Soulé, a hot-headed expansionist, was determined to provoke war. He delivered an ultimatum to the Spanish government, so drawn as to arouse Spanish pride, and demanded a reply inside of forty-eight hours. The Spanish government declined to meet Soulé's demands, but Marcy, the Secretary of State, refused to support his over-zealous minister.

Not long after this episode had blown over Secretary Marcy instructed the American ministers to England, France, and Spain to meet at Ostend, a summer resort in Belgium, and discuss the question. Two of these men, James M. Mason and Pierre Soulé, were from the South; and the third, James Buchanan of Pennsylvania, formerly Secretary of State, was on intimate terms with southern leaders. They were all expansionists, and they all wanted Cuba. The result of their deliberations, which they sent home in October, 1854, was a statement known as the Ostend Manifesto. They declared that the United States ought to buy Cuba as soon as possible and that economic interests should induce Spain to sell. Cuba, they continued, was necessary to the United States. "Indeed," they said, "the Union can never enjoy repose, nor possess reliable security, as long as Cuba is not embraced within its boundaries." In the event that Spain, "actuated by stubborn pride and a false sense of honor" should refuse to sell Cuba to the United States . . . then, by every law, human and divine, we shall be justified in wresting it from Spain." Fortunately the Secretary of State was possessed of more discretion than his three ministers abroad and he was able to drop the proposal without still further antagonizing Spain.

Ostend
Manifesto

In spite of the evident desire for territorial expansion, during this period between 1849 and 1860 the United States succeeded in acquiring only one strip of new land. This was the Gadsden Purchase, acquired from Mexico in 1853-1854. At this time there were a few matters concerning which Mexico and the United States disagreed. The Treaty of Guadalupe-Hidalgo had not been entirely clear as to the ownership of a bit of territory known as the Mesilla valley, about nine square miles in extent. Then Santa Anna, back again as dictator, with the title of His Most Serene Highness, had presented claims against the United States to the amount of \$40,000,000, on account of Indian depredations. Under the Treaty of Guadalupe-Hidalgo the United States was required to prevent Indians on the American side of the line from making incursions into Mexico. This obligation had not been complied with, hence the claims for damages. Furthermore the Pierce administration with Jefferson Davis, Secretary of War, actually in charge, was planning for a transcontinental railway over the southern route to

Mexico
Again

California, by way of Texas and Santa Fe. A part of the line ran through the Gila River valley in northern Mexico. Gadsden was instructed to settle the points in dispute, and to buy the land needed for the right of way for the road.

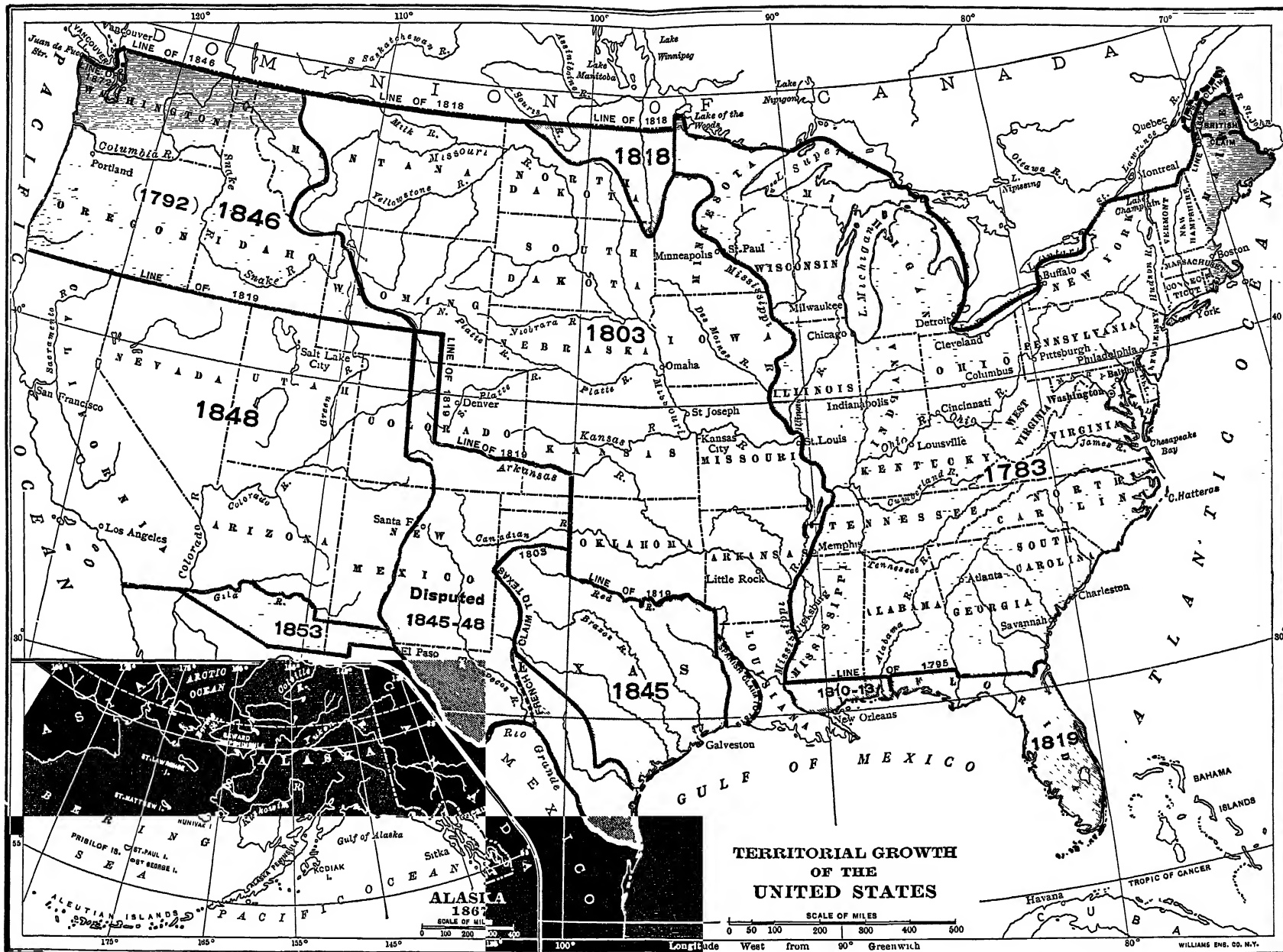
According to newspaper reports Gadsden had been secretly instructed to buy, if possible, the Mexican states of Chihuahua, Sonora, and Lower California. The *New York Herald*, a paper which frequently secured news surreptitiously from the State Department, announced positively that Gadsden had closed the deal with Santa Anna for northwestern Mexico, for the sum of \$50,000,000. In proof of this assertion the *Herald* printed a series of provisions which were described as the first draft of Gadsden's treaty.

The reason the big sale never went through, so the *Herald* concluded, was the activity of William Walker, later the hero in Nicaragua, in Lower California. This intrepid adventurer, with a following of two hundred men, landed at La Paz, in Lower California, took possession of the country, declared it independent, and set up a republic with all the regular institutions, president—Walker, of course—Congress, army, and navy, all with two hundred men and one boat. This attempt to steal the province so enraged Mexican public opinion that Santa Anna did not dare to carry out his agreement with Gadsden.

The draft of the treaty which Gadsden sent home provided for the settlement of a few claims, for new arrangements regarding Indian depredations, for the settlement of the boundary dispute, and for the sale of the Gila valley. American interests were given a right of way across the Isthmus of Tehuantepec, and the United States received the right to intervene there. The price to be paid was \$15,000,000, for thirty-nine million acres, a strip so small that it looks insignificant when compared with the Louisiana Purchase or the Mexican Cession. According to report, Robert J. Walker, a shrewd Democratic politician and railroad man, had already arranged to buy the same territory for \$6,500.

Gadsden
Purchase

The newspapers were loud in their criticism of the treaty. While the document was still pending in the United States Senate, the *New York Herald* called it "the most corrupt job ever undertaken in Washington, and the most profligate attempt ever made to plunder the Treasury for the advancement of a foreign military adventurer." As for the territory acquired, the *Herald* described it as "worth just nothing at all, being simply a wild, hideous, howling, God-forsaken desert." Greeley's *Tribune*—for once in its career—agreed with James Gordon Bennett's *Herald*. Greeley called the bargain "the most unblushing swindle ever perpetrated upon the country. . . ." Greeley also found fault with the region itself: the whole thing, he declared, "is an arid waste (good for nothing without irrigation, and worth but little with). Its boundaries are so run that every valuable part of that desolate country is reserved to Mexico. What is included in the purchase would not support a flock of prairie hens. A more heaven-forsaken



MAP 21.

piece of earth does not lie out of doors. . . . The more we have of such country, the worse we are off."

In the Senate the eminent Thomas Hart Benton of Missouri, who favored a middle or northern route for the proposed transcontinental railroad, said that he wanted only one hour "to send the treaty to hell." Harris of Mississippi joined the ranks of opponents: "I look upon the negotiations with Mexico as a piece of unmixed, unmitigated stupidity, from the beginning to the end. In this respect there is nothing equal to it, except the debate to which it has given rise in this house." The Senate cut the purchase price to \$10,000,000 and ratified the treaty.

During this same decade expansionists turned to parts of Central America as a promising field for the display of American enterprise. In 1856 William Walker, a professional filibusterer, plunged into one of the chronic revolutions in Nicaragua, and for two years succeeded in playing the role first of dictator, and then of president. By the spring of 1857, thanks to his own blunders, not the least of which was his stupid attempt to confiscate the steamers of "Commodore" Vanderbilt's line, he was overthrown. In November, 1857, he made a second attempt, only to be seized and brought home by Commodore Paulding of the United States Navy. In 1860, in an expedition against Honduras, the venturesome Walker was killed.

Nicaragua

One of the most important treaties negotiated during this period was that signed with Great Britain in 1854, providing for Canadian reciprocity. Rights of American fishermen were more clearly defined, and Canadian fish was allowed to come into American ports free of duty. Also the Canadians were given the rights of navigation on Lake Michigan, in return for which the Americans received similar rights on the St. Lawrence and the Canadian canals. This arrangement was to last for twelve years.

Canadian
Reciprocity

The episodes in the story of widening American interests as distinguished from territorial expansion took place on the opposite side of the globe. For a period of sixty years American merchants had carried on a flourishing trade with certain ports in China. Japan, however, had lived for two centuries in a state of isolation. But there had been causes of complaint against her, partly on account of reports of harsh treatment of American sailors who had been shipwrecked on her coast. American whaling vessels, which cruised all over the world, found fault because they could not use Japanese ports either for repairs or to get supplies. Then in 1850 Daniel Webster once more became Secretary of State. Shippers from his own section had long been interested in Far Eastern trade and he was convinced that it was time for Japan to open her doors.

In 1851 the American government planned to send an imposing mission to Japan, headed by Commodore Matthew C. Perry. Webster himself drafted the instructions which ordered Perry to secure protection for shipwrecked Americans in Japan, to arrange for opening Japanese ports to vessels in need of supplies, and if possible to secure general commercial

Perry's
Mission to
Japan

privileges for American merchants there. Reports of Perry's interesting expedition received general notice in both the United States and Europe.

Leaving Virginia in 1852, Perry collected the largest American fleet which had ever appeared in the Far East. In July, 1853, he entered the harbor of Yeddo. In order to make the proper impression on the Japanese, Perry refused to let himself even be seen by subordinate officials. He represented the President of the United States and he would talk with no one but a representative of the emperor. When the local Japanese authorities ordered him to leave the port, he did so, but came back with a stronger fleet and moved his ships farther in toward the city. Then, after various preliminary talks, the emperor's agent appeared and welcomed Perry with an elaborate ceremonial.

In March, 1854, Perry secured the treaty for which he had been working. It opened three ports to American commerce and permitted the United States to send a consul to reside in Japan. This marked the end of Japanese isolation. Perry's diplomatic triumph was an epoch-making achievement, the importance of which was recognized in Europe as well as in America. A few years later formal diplomatic relations were opened between the United States and Japan. In 1901 the Japanese erected an imposing monument on the spot where Perry delivered the message of the President of the United States to the emperor's representatives.

Politics and the Compromise of 1850

 THE ISSUE OF SLAVERY

THE HOT discussion of slavery and related questions during the Mexican War was an evil omen for both the great parties. Drawing their membership from both North and South, the leaders objected to any issue which tended to weaken party solidarity. Their aim had been to keep the discussion of slavery out of Congress. Never entirely successful, they failed utterly during and after the War with Mexico. The Wilmot Proviso pointed toward a new party alignment, northern and western against southern; under these circumstances, the coming of the political conventions in 1848 was looked upon with grave concern.

The popularity of the Wilmot Proviso, both in and out of Congress, showed that the controversy had grown beyond the limits of simple abolitionism. Political leaders who opposed slavery were concerned not so much with a mere labor system, or with the social system which rested upon it. They were fighting the slave power rather than slavery itself, that is, the political system controlled by the planters and their allies. Opposition to slavery in the territories was designed to restrict this slave power by limiting the number of slave states. Attention was called to their growing strength when Oregon was organized as a free territory in 1848. If the anti-slavery forces could keep the number of Senators and Representatives from the slave states from increasing, the slave power was doomed. The normal growth of the North and West would attend to that. Southern leaders were aware of the implications of this policy and they prepared to defend their power.

Opposing
Forces

The Democrats met at Baltimore, late in May. The first business of importance was the settlement of the contest between two opposing delegations from New York, representing the factions named, in the political terminology of the day, Hunkers and Barn-burners, respectively. The Barn-burners were reformers, followers of Van Buren, and believers in the Wilmot Proviso. Although Polk had made an effort to remain neutral, he seems to have incurred the special dislike of this group. The Hunkers were probably more nearly like what the politicians of a few years ago would have called "stand-patters." They opposed the Wilmot Proviso. Ordinarily a local disturbance would have been of little moment, but in 1848 the division of the party in New York gave the Presidency to the Whig candidate.

The Democrats nominated Lewis Cass of Michigan, in some respects one

Position of
the Democrats

of the ablest men in the party. As a western man, he did not feel the hostility to slavery which characterized some of his eastern colleagues, nor was he so outspoken in defending the institution as were his friends from the South. His attitude was one of indifference to slavery, like that which had prevailed generally throughout the Union in 1790. His solution of the problem was "squatter" sovereignty, that is, he would let the settlers in any territory decide for or against slavery.

The Democratic platform denied the authority of Congress to interfere with the domestic institutions of the states, and declared that the federal government ought not to meddle with slavery. With reference to the War with Mexico the platform followed Polk in stating that it was a "just and necessary" war, begun by Mexico. It was also a war, the platform declared, "in which every American citizen should have shown himself on the side of his country."

The Whigs:
No Issues, No
Platform

The Whigs came together at Philadelphia in June. Among their Presidential possibilities the most prominent was Henry Clay. Still a hero to his constituents, as he had been ever since his first entry into public life, and still in some respects the best-known politician in the country, he labored under the disadvantage of his three defeats. After Clay came the two victorious generals of the Mexican War, Taylor and Scott. Fortunately for the party they were both Whigs. To be sure the Whigs had execrated the war from beginning to end, but that did not keep them from making political capital out of it. In fact, with either of the generals as their leader, they could depend upon votes from those who agreed with the Whigs that the war was bad, and from those who had favored it, because of the popularity of the candidate. Of the two, Taylor had more of the vote-getting assets which politicians mean when they talk about "availability." His victory at Buena Vista had been impressive. Taylor was a Southerner and a slave-owner, with no definite views on public questions. His party picked him because his name on the ballot might bring success—and the patronage. Millard Fillmore of New York was given second place on the ticket. As usual the Whigs put out no platform, because as a party they were agreed on one thing, and on nothing else: the desire for the Presidency. This issue was somewhat too elementary to serve even as subject matter for a party platform.

The Liberty party and other anti-slavery politicians nominated John P. Hale of New Hampshire. Then the Barn-burners held a convention at Utica, with delegates present not only from New York, but from Massachusetts, Connecticut, Ohio, and Wisconsin. They nominated Van Buren. In Ohio still another group calling itself Free Soil endorsed Van Buren. Then Hale withdrew from the race and Van Buren fell heir to Hale's following.

In the election, Taylor's popular vote was 1,360,099 to 1,220,544 for Cass. Van Buren's 291,263 was insignificant in itself, but over 40 per cent of it came from the Barn-burners in New York. With the Democratic party in

that state almost evenly divided, its electoral vote went to the Whigs. The vote of New York was enough to elect Taylor, so for the second, and last time in their history the Whigs were given an opportunity to administer the federal government. Taylor and Cass each carried fifteen states, but Taylor had 163 electoral votes to 127 for Cass.

If it had not been for the appeal of the patronage, the Whigs might well have regretted their success in the election. Never since Jefferson's time had the future held more prospects of trouble. Then the chief danger had come from abroad; now it came from the United States, in the form of the controversy over slavery, bad enough in itself, and recently made worse because of its connection with the policy of expansion. On previous occasions the acquisition of new territory by the national government had necessitated the adoption of a rule or formula covering slavery. In 1787 the Ordinance for the Northwest Territory prohibited slavery, leaving the Southwest free to do as it pleased. When the question arose in the Louisiana Purchase, the Missouri Compromise prohibited slavery north of the 36° 30' line, except in Missouri, and left the region to the south free to do as it would. Texas came in as a slave state, while Oregon was organized as free. But there had been no formula adopted covering New Mexico and California. The Wilmot Proviso had been advocated for that purpose, but it had not become law.

Disagreements
over Slavery

There were various suggestions concerning the proper way of ending the controversy over the subject. In addition to the Wilmot Proviso, there was the proposal to extend the Missouri Compromise line through to the Pacific. That would have given the South a smaller share than the North, as the same principle had done in the Louisiana Purchase, but many southern leaders were ready to accept it. Polk himself favored this proposal, and in doing so he had the unanimous support of his Cabinet, which he rarely got on any other question.

Others suggested that Congress should provide for the creation of territorial governments for California and New Mexico, but should prohibit their legislatures from enacting any laws regarding slavery. If questions concerning it should arise, they were to be left to the territorial courts for decision, with the right of appeal to the federal courts.

Still others proposed to leave the question to the decision of the inhabitants in the territories concerned, a doctrine called by its opponents "squatter sovereignty." This plan appealed to the West, because it seemed to the people there to embody American tradition and custom. Calhoun refused to consider this way out of the difficulty, because to his mind Congress had power to legislate for the territories, and the people in the territories had no constitutional right to pass laws against slavery. Calhoun went even further. He argued that when the United States acquired new territory, the Constitution followed the flag. The Constitution provided for slavery, so slavery was already established in the Mexican cession, and the United States had to protect it there.

Other matters in dispute needed attention, particularly the status of slavery in the District of Columbia. Anti-slavery leaders were determined to prevent the buying and selling of slaves in the capital, if not to bring about complete abolition for the District. Not to be outdone by their northern associates in raising subjects of discord, southern Congressmen began to insist upon a more effective law for the rendition of fugitive slaves. The statute for this purpose, passed in 1793, had become more and more a grievance to the North, and more difficult to enforce. It would have been the part of wisdom to have left the question, along with that of the slave trade in the District of Columbia, to a more auspicious time, but many leaders on both sides were too deeply stirred to think of wisdom.

Threats of
Secession

By 1848 feeling ran so high that some southern leaders talked of secession. One South Carolinian reported: "The abolition question must soon divide us. We are beginning to look upon it [secession] as a relief from incessant insult. I have been myself surprised at the unusual prevalence and depth of this feeling." A little later former Governor Hammond of the same state wrote that anti-slavery activities were strengthening the secession cause every day. He believed that the sooner the Union broke up, the better. By February, 1850, Calhoun wrote: "Disunion is the only alternative that is left us." A short time later, in the United States Senate, Calhoun told his colleagues that the South "cannot remain, as things now are, consistently with honor and safety, in the Union."

In Mississippi, home of Jefferson Davis, sentiment for secession was even stronger than in South Carolina. A state convention endorsed a proposal for a southern convention, to meet at Nashville, Tennessee; the avowed purpose was to "adopt some mode of resistance," and "to provide in the last resort for their separate welfare by the formation of a compact and a Union." On March 6, 1850, the legislature of Mississippi appropriated \$20,000 to cover the cost of sending delegates to Nashville, and \$200,000 for "necessary measures for protecting the state . . . in the event of the passage of the Wilmot proviso." Governor Quitman was prepared "to recommend the calling of a regular convention . . . with full power to annul the federal compact." "Having no hope of an effectual remedy," he declared, "but in separation from the Northern States, my views of state action will look to secession."

Alexander H. Stephens of Georgia, wrote on February 10, 1850: "I see no prospect of a continuance of this Union long." Robert Toombs was considerably more vigorous in stating his views: "I do not hesitate to avow before this House and the country, and in the presence of the living God, that if by your legislation you seek to drive us from the territories of California and New Mexico . . . and to abolish slavery in this district . . . I am for disunion." This sentiment was powerful in the states already named, and also in Virginia and in Alabama. Furthermore the sentiment was popular throughout the South.

Such in brief was the situation which Taylor had to face. The problem of slavery was uppermost in men's minds, at a time when they were so angry that a peaceful, satisfactory outcome seemed impossible. Nor was there time for delay. The discovery of gold in California had made imperative the need of government there, and no matter what sort of constitution was drawn, one side or the other in the slavery dispute was likely to be still further enraged.

In January, 1848, at Sutter's Mill, in the lower Sacramento Valley, the builder of the mill saw shining particles in the mill-race. On examination they proved to be gold. The news spread rapidly, and everybody in California began to hunt for gold. Even soldiers and sailors in the United States Army and Navy deserted, hoping to make their fortunes. From all over the country there was a rush to California, and the rapidly growing population was of the sort to be expected under such circumstances: adventurers and desperados of all kinds, together with ordinary, respectable human beings. In order to prevent anarchy, the law-abiding settlers assumed control and meted out quick justice to evildoers.

Gold and
Government
in California

Almost immediately after his inauguration President Taylor had sent agents to New Mexico and California, for the purpose of urging the people there to draw up constitutions and apply for admission into the Union. California had already started proceedings before the President's representative arrived, and in September, 1849, a state convention met and drew up a constitution, prohibiting slavery. In November this was duly adopted by the people, and all that remained was for Congress to approve and to take the state in.

When Congress met in December, 1849, there was a prolonged contest over the Speakership. Thirteen free-soilers had the deciding voice, and at first they refused to approve either Howell Cobb of Georgia, the Democratic candidate, or Robert C. Winthrop of Massachusetts, the Whig. After three weeks of excitement, Cobb was finally chosen. He gave the committee chairmanships to Democrats. This dispute was an inauspicious beginning for a session forced to deal with the most serious problem which had arisen since the adoption of the Constitution.

In his annual message President Taylor called attention to the action of California and urged Congress to admit the new state. He also said that New Mexico might be counted on to take similar action in the near future. The North and West favored the admission of California with her free soil constitution. Southerners opposed the restriction for fear of additional loss of political power in national affairs.

THE COMPROMISE OF 1850

At this point national leaders in Congress went to work on plans to allay bitterness in the South and to save the Union. In this group the most conspicuous leaders were Henry Clay of Kentucky, Stephen A. Douglas of

Plans for
Compromise

Illinois, and Daniel Webster of Massachusetts. Clay and Webster were rounding out forty years of service in national affairs. Douglas was a younger man, but no less loyal to the Union. Late in January, 1850. Clay submitted a list of proposals for compromise, designed to secure "the peace, concord, and harmony of the Union." These provided that California should be admitted with her free state constitution, and that the remaining portion of the Mexican cession should be given territorial organization without any restrictions on slavery. The remaining dispute over the boundary between Texas and New Mexico was to be settled. If Texas would relinquish her claims on a part of New Mexico, the federal government would assume the Texan debt, contracted before annexation. The slave trade in the District of Columbia was to be forbidden, and a more effective fugitive slave law was to be passed. Then Congress would make a formal declaration denying its power to interfere in the domestic slave trade.

The introduction of these resolutions started a debate that continued until the following September. Speaking in support of his program, Clay said that he had never been "so appalled and so anxious." He approved the admission of California as a free state, and the adoption of popular sovereignty for New Mexico. "What more do you want?" he asked the anti-slavery enthusiasts. "You have got what is worth a thousand Wilmot provisos. You have got nature itself on your side."

Next Clay emphasized the necessity of a new fugitive slave act. Under the existing law, that of 1793, responsibility for enforcement lay with the states, and the states would not fulfill their obligations. Massachusetts, for example, had passed a law making it a penal offense for her officials to perform any duties under the law of 1793. Pennsylvania had forbidden her judicial authorities to accept jurisdiction in any fugitive slave case. Clay charged that in refusing to meet their legal obligations these states were guilty of aggression against the South. Then in addition to this formal action of the states, there was the informal activity of the underground railway.

Calhoun's
Ultimatum

Clay had spoken in February. Calhoun announced that he would speak on March 4, but when the time came he was too ill and infirm to stand the strain. Senator Mason read the speech for him. Calhoun called attention to the great increase of northern power, an increase which had destroyed the old equilibrium between the sections. Then he attributed the failure of the South to keep pace with the North to the Ordinance of 1787 and to the Missouri Compromise, which had excluded slaveowners from territories belonging to them. Next he argued that the protective tariff and the system of internal improvements had worked regularly to the detriment of the South. Calhoun was earnest enough in this analysis of southern weakness, but he did not explain why one section should have profited so heavily while the other suffered such serious losses under the same system. Evidently Calhoun overlooked some of the factors at work.

To preserve the Union, Calhoun went on, the North must recognize the

equal rights of the South in all the recently acquired territory. Then the North must return fugitive slaves and northern people must desist from their agitation over slavery. Then he demanded an amendment to the Constitution which would restore to the South power to protect her interests from aggression. He opposed the admission of a free California.

During February Alexander H. Stephens led a group of southern Congressmen in a filibuster; their purpose in blocking business was to prevent the admission of California unless at the same time there was an adjustment of slavery in New Mexico and Utah. Then northern and southern members agreed to admit California free, and to organize the territories of Utah and New Mexico on a basis of popular sovereignty.

By this time threats of southern secession had become so bitter and so pointed that President Taylor felt called upon to state his position. He told members of Congress that he would use force to prevent southern secession. At the height of this crisis, when the Union was actually threatened with dissolution and civil war, Daniel Webster announced that he would plead for the Union. The result was the Seventh of March Speech. He made no attempt to conceal the gravity of the situation and he did not try to flatter his hearers. "Necessity compels me to speak true rather than pleasing things." Then he amplified Clay's assertion that no merely human legislation was needed to settle the question of slavery in the Southwest. "Now as to California and New Mexico, I hold slavery to be excluded from those territories by a law even superior to that which admits and sanctions it in Texas. I mean the law of nature, of physical geography, the law of the formation of the earth. That law settles forever, with a strength beyond all terms of human enactment, that slavery cannot exist in California or New Mexico. . . . What is there in New Mexico that could by any possibility induce anybody to go there with slaves? I would not take pains uselessly to reaffirm an ordinance of nature, nor to re-enact the will of God. I would put in no Wilmot proviso for the mere purpose of a taunt or a reproach."

**Webster's
Appeal to
Reason**

Webster endorsed the proposal for a new fugitive slave act, and in doing so he expressed his opinion of the abolition societies: "I think their operations for the last twenty years have produced nothing good or valuable." Then he urged his hearers to do everything within reason to save the Union: "Never did there devolve on any generation of men higher trusts than now devolve upon us for the preservation of this constitution, and the harmony and peace of all who are destined to live under it."

At the time opinion differed as to the value of Webster's effort. The abolitionists condemned him with all the words at their command, a practice in which they had acquired remarkable proficiency. Horace Mann wrote: "Webster is a fallen star! Lucifer descending from Heaven!" Whittier wrote:

**Criticism:
Irrational and
Rational**

When faith is lost, when honor dies,
The man is dead!

Theodore Parker joined the chorus: "I know no deed in American history done by a son of New England to which I can compare this but the act of Benedict Arnold. . . . The only reasonable way in which we can estimate this speech is as a bid for the presidency." And Joshua R. Giddings of Ohio declared: "By this speech a blow was struck at freedom and the constitutional rights of the free States which no Southern arm could have given." James Russell Lowell referred to Webster's "mean and foolish treachery."

On the other hand, some Americans bestowed high praise upon Webster. A group of eight hundred representative citizens of Boston sent Webster a message of confidence and praise, and similar addresses came to him from New York and Philadelphia. Webster's speech did much to produce a cooler temper and it actually broke up the secessionist movement. It so happened that before he spoke, six states had appointed their delegates to the Nashville convention, all looking toward secession. But when the convention met, in June, sentiment had completely changed, and its resolutions were so mild in tone as to be innocuous. As Robert C. Winthrop put it: "Webster's speech has knocked the Nashville Convention into a cocked hat." Modern students of this episode emphasize Webster's service here in saving the Union and in preventing the immediate outbreak of civil war.

After Webster came William H. Seward of New York, speaking for the more radical element of the North. He was in no mood for compromise: "I say to the slave States, you are entitled to no more stringent laws; and that such laws would be useless. . . . Has any government ever succeeded in changing the moral convictions of its subjects by force?" Then concerning the territories, he admitted that the Constitution regulated the stewardship of the people over them. The Constitution devoted the territories "to union, to justice, to defence, to welfare, to liberty. But there is a higher law than the Constitution, which regulates our authority over the domain, and devotes it to the same noble purposes." Concerning slavery, Seward said: "I feel assured that slavery must give way . . . that emancipation is inevitable, and is near; that it may be hastened or hindered: and that whether it shall be peaceful or violent depends upon the question whether it be hastened or hindered; that all measures which fortify slavery, or extend it, tend to the consummation of violence."

By mid-April, 1850, Clay's proposals were still hanging fire, still the subject of intense debate. Then the Clay program, together with other proposals, was referred to a special committee of thirteen, six members from the South, six from the North, with Clay as the thirteenth. The committee arranged the proposals in three series of pairs. California was to come in free, while Utah and New Mexico would be organized without the Wilmot

Seward's
Higher Law

Terms of
Compromise

Proviso. The boundary of Texas would be restricted, but Texas would receive pecuniary compensation. Then there would be a new fugitive slave law, and the slave trade would be prohibited in the District of Columbia. In this form the compromise had the support of Clay, Webster, Cass, and Douglas, but they were opposed by Seward, Chase, Jefferson Davis, and a large southern delegation.

President Taylor had opposed the compromise, but he died on July 9, 1850, in the midst of the debate. His successor, Fillmore, favored the compromise and he made use of the patronage to win support for the program. In September the various pairs were broken up into separate measures, and each one became law. The final measures all included a mass of detail which had to be worked out with extreme care, and this work was done after the special committee of thirteen had completed its work. For that reason it is hard to tell which members were most responsible for the compromise. It is easier to tell which ones worked against it. The opposing votes on the various measures were cast by northern and southern radicals, whose consciences and principles would allow them to destroy the Union, but not to save it.

In solving the problem of slavery in the territories of New Mexico and Utah, the compromise legalized the doctrine of popular sovereignty, and made it the formula covering the region. The measure read as follows: "And provided, further, That, when admitted as a state, the said Territory, or any portion of the same, shall be received into the Union, with or without slavery, as their constitution may prescribe at the time of their admission." **Popular Sovereignty**

While this measure was under discussion, no one in Congress raised the question whether it was supposed to apply solely to the Mexican cession, or whether it superseded the Missouri Compromise as a policy for determining the status of slavery in the territories. If the two compromises consisted simply of legal principles, general in their application, there can be no doubt that the later enactment would take precedence over the earlier. But if the first arrangement dealt with one block of territory, and the second with an entirely different block, it might be argued that one could not supersede the other. When this issue was raised in 1854 it subjected the country to another uproar.

Of all the provisions of the Compromise of 1850, the Fugitive Slave Act was the most unsatisfactory to the North. This law placed the responsibility for apprehending fugitive slaves upon federal marshals and judges, instead of upon state officials, as in the case of ordinary fugitives, and as in the case of fugitive slaves under the Act of 1793. Heavy penalties were provided for officials responsible for the escape of a fugitive after he had been apprehended, and for those who harbored or aided in the escape of a fugitive. The fugitive could have no jury trial in the state where he was apprehended; neither for that matter may any ordinary fugitive from justice. That comes **Fugitive Slave Act**

in the state from which he fled. A slave, of course, would not get one at all. Nor could the officials accept any testimony regarding his status from the fugitive himself.

The anti-slavery element denounced the Fugitive Slave Act as unconstitutional, un-Christian, and immoral, and declared that they would not obey "its unhuman and diabolical provisions." These threats soon resulted in action. In 1851, the United States marshal in Syracuse arrested a Negro workingman there, William Henry, popularly known as Jerry. An enraged mob, including some of the best-known citizens of central New York, rescued Jerry from the officers, and sent the Negro on to safety in Canada. In the same year a mob in Boston, composed largely of Negroes, rescued the fugitive Shadrach from federal officers. Several states passed personal liberty laws designed to protect alleged fugitives from recapture.

This campaign against the Fugitive Slave Act kept the dispute over slavery alive. If this measure had not been included in the Compromise of 1850, the people might have turned their attention to something else; as a matter of fact, a large number of them actually did so. But the abolitionists seized upon the law as evidence of the determination of southern slave owners to rule the whole nation; consequently it seemed to them proper to defy the law and to prevent the return of fugitives in order to prove that the North was independent.

In the South an equally rabid campaign was led by Governor Quitman of Mississippi and William L. Yancey of Alabama. They worked for six years to combat the compromise. In 1857 members of their group assembled in a convention to demand "Southern Rights." This body repudiated the "hostile and unconstitutional" legislation of the Compromise of 1850 and called for the election of delegates to a convention of all the southern states, to vote for secession.

On the other hand, the moderates worked to build up popular support for the compromise; they hoped to stamp out both the Free Soil movement in the North, and the secessionist sentiment in the South. In the Northwest and the North, Cass, Douglas, Choate, and Webster devoted their efforts to making the compromise acceptable to their section. "Union meetings" passed resolutions upholding the compromise, and demanding the execution of the Fugitive Slave Act.

In the South Clay and Crittenden of Kentucky, with Stephens, Cobb, and Toombs of Georgia were working to allay secessionist sentiment and they won a temporary victory. A state convention drew up a "Georgia platform," declaring that the state would regard the compromise as a permanent adjustment. At the same time, they announced that they would tolerate no federal law prohibiting slavery in the territories, nor a refusal to admit a slave state into the Union.

When Congress assembled in December, 1850, its opening was more peaceful and sedate than it had been the year before. Leaders from all sections

again proclaimed their loyalty to the compromise, and renewed their allegiance to it as a final solution. By the fall of 1851, except for the Yancey-Quitman group, practically all influential opposition to the compromise had been beaten, both in the North and in the South. The majority of people had recovered their balance and they were not ready to risk the ruin of the Union. Both sides prepared to let the controversy alone. If no new experiment with slavery had arisen, the storm might have been permanently finished.

Historically the Compromise of 1850 was an arrangement of primary importance for the Union. For one thing it shows what a few level-headed public servants could accomplish in the face of two groups of extremists working at cross purposes. If the essence of politics is to adjust conflicting interests, here was politics at its best. The compromise put off actual secession for ten years, and during those ten years the northern states reached a new high level in their economic development. In 1850 the northern states exceeded the southern states in population by approximately four million; by 1860 the margin of the North had increased to seven million. In the same decade the northern states laid almost twice as much new railroad track as the South. The industrial development which had begun at the opening of the century not only continued, but it was rapidly accelerated after 1850. By 1860 the Union states produced ten times as much manufactured goods as did the South. In any comparison of military assets, the North had acquired an impressive superiority over the South. This was evident in man power, industry, finance, shipping, sea power, and railroad transportation. Before 1850 the Mississippi River had connected the Northwest closely to the South. But much of the railroad construction between 1850 and 1860 had connected the Northwest with the Atlantic coast region. These economic links proved to have definite political value when the real crisis came in 1860 and 1861. All those who grant that the preservation of the Union was desirable look upon the Compromise of 1850 as an essential step in the development of national greatness. It delayed secession until the North was in a position to meet the danger.

**Value of the
Compromise**

The Slavery Dispute Revived

THE KANSAS-NEBRASKA ACT

WITH the adoption of the compromise and approval of its "finality," politics in the United States was left with no compelling issue. The leaders were anxiously guarding against any resurgence of the temper of 1849. In the Congressional session of 1851-1852, lasting nine months, little was done beyond passing a "pork barrel" bill and granting public lands. In their anxiety to avoid touching the disturbing problem of slavery, public officials touched nothing.

That this condition was more beneficial than the stormy contests which preceded it was generally agreed. It had other advantages. For example, the two parties were able to turn to the Presidential campaign of 1852 with nothing to embarrass them. The Democrats were in excellent shape. The Barn-burners had returned to their allegiance, and the Free Soil movement was negligible except possibly in Massachusetts and Wisconsin. The Whigs had lost ground. Never a strong party, and never entrusted with the Presidency on their own merits, owing their victory in 1848 to the factional fight in New York, they seemed unable to make any compelling appeal.

In making their nominations, the Democrats could not agree on any one of their more prominent leaders, such as Cass, Marcy, Buchanan, or Douglas, and on the forty-ninth ballot, the convention swung to Franklin Pierce of New Hampshire. The new candidate had the sort of noncommittal record which is a valuable asset in politics. He was handsome in person, kindly in his dealings with his associates, without enemies, in fact eminently safe in all respects. Furthermore, he had a military record in the war with Mexico and he was a friend of Jefferson Davis.

The Whigs were more under the influence of their southern contingent, and allowed the Georgians to write their platform. This was strongly states' rights in tone. For candidates the party had Fillmore, Webster, and one of the heroes of the Mexican War, General Winfield Scott. It took fifty-three ballots to convince the Whigs that nobody but Scott could get the nomination. In spite of his nomination Scott could not win the support of the southern Whigs, because they doubted his loyalty to the compromise. In the election many "bolted" the candidate, some voting for Webster, while nowhere in the South did Scott make a favorable impression. The Whig party broke on the issue of "finality" of the compromise, and it never re-

covered. Pierce carried every state but five, getting 254 electoral votes to Scott's 42.

Although the election and inauguration of Pierce brought no change in national policies, his accession happened to coincide with an unusual change among the leaders in Congress. The old leaders, the men who were responsible for the compromise, had largely ended their careers before March 4, 1853. Henry Clay died in June, 1852, and the whole country mourned his loss. With all of his weaknesses, and even with all of his pettiness, he had done enough in behalf of the Union to give him lasting fame. Webster followed Clay in October of the same year. Others either retired or were forced out of politics. Van Buren ceased to be a figure in politics after 1848, Winthrop of Massachusetts retired in 1851, in the same year that Thomas Hart Benton lost his place in the Senate.

New Leader-
ship in
Congress

These men had all been unionists, and they could not be replaced. They had been trained in politics in the period after 1815, when nationalism flourished almost as a gospel, and as long as they were in Congress neither southern secessionism nor northern abolitionism could go unrebuked. Unionists remained, to be sure, but they were younger men, without the balance and the experience of Webster and Clay. Perhaps the most conspicuous of the group of younger unionists was Stephen A. Douglas of Illinois, the cleverest parliamentarian in Congress. He upheld the compromise, and he never became disturbed over slavery as an institution. No one denied his ability, but observers felt that his courage and determination might sometimes run away with his judgment. With Douglas there were Cass of Michigan, and Marcy of New York, both champions of the compromise. Among the southern unionists were to be listed Bell of Tennessee, Crittenden of Kentucky, and Clayton of Delaware. Whether this group would be strong enough to cope with their opponents remained to be seen.

In general the younger members were more concerned with purifying the Union than with preserving it. Trained in the 1830's and 1840's, they could not help being influenced, in one way or another, by the doctrines of radical abolitionism. Those from the North were determined that slavery should not spread into the territories. To be sure they opposed secession, but they did not oppose policies that might exasperate the South into secession. The leaders in this group of northern radicals included Chase and Wade of Ohio, Sumner of Massachusetts, and Seward of New York. Chase was a keen debater and an able politician, but somewhat too selfish to make a first-rate party man. Sumner was a well-educated man, courageous in expressing his own views, but intolerant. Wade was a fighting Westerner, who plunged into the slavery dispute with Sumner's zeal, untempered by either political or legal training. Seward was an expert in politics, a man of ability, who in less troublous times would have followed a comfortable course.

Sectionalism,
North and
South

Set off against these radical "Yankees" were the pro-slavery champions of the South, who agreed in placing the safety of slavery above the preser-

vation of the Union. Angered by the steady attacks of the abolitionists, they looked upon the whole North with suspicion. They were direct and frank in their threats of secession, in case they could not get what they wanted from the Union. Because they stood together, they dominated federal policies for eight years. Feeling that they had nothing to lose because they cared little for the Union, they could be as belligerent as they pleased. Among the more extreme of these Southerners, Barnwell Rhett of South Carolina, Quitman and A. G. Brown of Mississippi, were out-and-out secessionists. Even more extreme, but not a member of Congress, was William L. Yancey. After 1854 they were joined by former unionists like Robert Toombs of Georgia and Jefferson Davis of Mississippi.

When President Pierce's first session of Congress opened in December, 1853, it seemed that the slavery question was adequately guarded. In all federal territories the status of slavery had been clearly defined by law, and only new legislation could alter the arrangements. Such action seemed impossible. And yet, inside of a month, Congress was plunged into a new fight over slavery, and the excitement at Washington was immediately reflected throughout the whole country. The calm brought about by the compromise was suddenly destroyed and the country did not settle down again until after the Civil War.

In December, 1853, Dodge of Iowa introduced a bill to organize the Nebraska territory. This was a part of the Louisiana Purchase, lying west of Iowa and Missouri. It was for the most part still held by Indian tribes and consequently closed to white settlement. For ten years Stephen A. Douglas of Illinois, the chairman of the Senate Committee on Territories, had been working for the organization of this region. There were scattered white settlements in it, many of which had been made contrary to law. The squatters wanted to become owners, and for that they had to wait until the territory was organized. The Wyandot Indians, who had adopted the forms of white civilization, were also clamoring for a territorial organization. Moreover many Missourians, for one reason or another anxious to move into Nebraska, were aiming at the same thing. Perhaps the most important force at work was the widespread interest in a transcontinental railroad. The admission of California had created a strong demand for better transportation facilities through the Far West, and the very bigness of the project attracted country-wide attention. In an effort to work out a temporary solution, Congress authorized an experiment with camels, and a number of these beasts were imported. Their skeletons are now preserved in the Smithsonian Institution, as an interesting memorial of the zeal, if not of the sound judgment of the experimenters. More famous was Ben Holladay's coach line from Missouri through the Platte River valley to California, which is described vividly in Mark Twain's *Roughing It*. But this was a makeshift at best; the country wanted a railroad.

It was easier to get an agreement on the principle of the project than on

Organizing
Nebraska
Territory

Transporta-
tion Problems

a specific route. Douglas and his friends in Illinois wanted a line from Lake Michigan to Oregon. Benton of Missouri, working desperately to get back into Congress, demanded a line from St. Louis, over the Platte trail. It will be recalled that Benton had opposed the Gadsden Purchase Treaty, probably because it seemed to favor the southern route. Jefferson Davis, the guiding director of the Pierce administration, was quietly planning one from New Orleans, through El Paso. He wanted to put slaveholders in California. This proposed southern line could go all the way through organized territory, and the prospect of speedy settlements along the road would encourage capitalists to take the risk of building it. Since either one of the two northern lines, however, would run through unorganized territory, the promoters of those projects were insisting upon organizing Nebraska.

When Hall of Missouri introduced a Nebraska bill in February, 1853, the debate upon it brought out two main objections. Many southern Congressmen were inclined to oppose the creation of any more free territories. More particularly, the Texans objected, because they were eager for a southern Pacific road. If settlers were allowed to move into Nebraska, the central route might be selected after all. So the Texans amused Congress by displaying an hitherto unsuspected interest in the rights of the Indians—outside their own state. Hall, the sponsor of that particular bill, virtually accused them of trying to block the central Pacific project by keeping settlers out of the country through which it must pass.

Profiting by this debate of the preceding session, the committee on territories planned to make the Dodge bill satisfactory to its opponents. To do this they would have to win southern support for the organization of a free territory. For such important concessions the price would have to be satisfactory. Possibly some arrangement regarding slavery might put the bill through.

On January 4, 1854, Douglas reported for the committee on territories. He began by questioning the legal validity and the binding force of the Missouri Compromise, under which slavery would have been excluded from Nebraska. The committee, he said, would not venture to pass judgment upon so delicate a subject. But he and his colleagues felt that the principles of the Compromise of 1850 were not local, but general in effect, designed to cover something more than the Mexican cession. It became the duty of the committee, therefore, to perpetuate these principles. As set forth in the report, the principles were, first, that all questions pertaining to slavery in the territories were to be left to the decision of the people residing therein. Next, all cases involving title to slaves were to be referred to local tribunals, with right of appeal to the federal courts. And the Fugitive Slave Law was to be executed in the territories as in the states.

**Attack on the
Missouri
Compromise**

To make the Dodge bill conform to the principles enunciated in the report, the committee amended it by adding a new statement: "And when admitted as a State or States, the said Territory, or any part of the same,

shall be received into the Union, with or without slavery, as their Constitution may prescribe at the time of their admission." In the first draft nothing was said directly about the Missouri Compromise, but that was hardly necessary because the meaning of the bill was plain. Subsequently the three principles of the report were incorporated in the bill.

Kansas-
Nebraska Bill

On January 16, Dixon of Kentucky moved an amendment to the Dodge bill, specifically repealing the restrictive section of the Missouri Compromise. On January 23, after previously securing the approval of Jefferson Davis and President Pierce, Douglas introduced a new measure, the Kansas-Nebraska bill. This provided for the organization of two territories instead of one, and announced that the prohibition of slavery in the Missouri Compromise had been "superseded by the principles of the legislation" of 1850, and was consequently "inoperative." It may be observed that under the Constitution Congress has unlimited power to repeal any enactment of any preceding Congress.

After the introduction of the bill Chase and Sumner asked Douglas to postpone debate upon it, so that members of the Senate might have more time to study the measure. What they really wanted was time to prepare an anti-slavery protest against the bill, not so much to influence the Senate as to stir up the abolitionists in the North and West. The protest appeared, January 19, 1854, under the heading: "The Appeal of the Independent Democrats in Congress to the People of the United States." The "Appeal" was written by Senator Chase of Ohio, signed by Chase and Charles Sumner of the Senate, and by Joshua R. Giddings, Edward Wade, Alexander DeWitt, and Gerrit Smith of the House, and published first in the *National Era*.

Appeal of the
Independent
Democrats

The phraseology of the "Appeal" was more significant than its statements of alleged facts. It denounced the bill "as a gross violation of a sacred pledge [the Missouri Compromise], as a criminal betrayal of precious rights, as a part and parcel of an atrocious plot to exclude from a vast unoccupied region immigrants from the Old World and free laborers from our own States, and convert it into a dreary region of despotism inhabited by masters and slaves." The "Appeal" also reflected upon Douglas's motives in sponsoring the bill: "Will the people permit their dearest interests to be thus made the mere hazards of a presidential game, and destroyed by false facts and false inferences?" The "Appeal" did consolidate opposition to the bill, and in the words of the Annual Report of the American Anti-Slavery Society "helped greatly to excite and to inform the public mind as to the urgency of the crisis."

The debate on the measure was more bitter, and the contest even more serious, than the struggle for the Compromise of 1850. Chase and Sumner accused Douglas of aiming to let slavery into all the territories, and during the contest the Senate was deluged with anti-slavery petitions and memorials. In defense, Douglas urged the futility of legislation against slavery, by

showing how slaves had been held in Illinois in spite of the Ordinance of 1787, and in Nebraska in spite of the Missouri Compromise. His solution for the problem, which he called "popular sovereignty" went back, he said, to the Revolution:

This was the principle upon which the colonies separated from the crown of Great Britain, the principle upon which the battles of the Revolution were fought, and the principle upon which our republican system was founded. . . . The Revolution grew out of the assertion of the right on the part of the imperial government to interfere with the internal affairs and domestic concerns of the colonies. . . . It is apparent that the Declaration of Independence had its origin in the violation of the great fundamental principle which secured to the people of the colonies the right to regulate their own domestic affairs in their own way; and that the Revolution resulted in the triumph of that principle, and the recognition of the right asserted by it.

In spite of the efforts of the opposition the bill passed the Senate by a vote of thirty-seven to fourteen.

In the House the bill was in charge of Richardson of Illinois, a friend of Douglas. The administration made it plain that every Democrat must vote for the measure, or give up hope of any share in the spoils. Thanks to the vigorous use of the patronage, the bill was sure of a majority, although the vote was delayed by the obstructive tactics of the minority. The debate dragged on, night after night, with all the members maddened by excitement, and some by drink. One Representative was reported as saying that every Congressman carried a revolver, and some had knives as well. During the struggle Senator Douglas was on the floor of the House, aiding Richardson in the complicated work of parliamentary engineering. For a time some of the opponents even talked of absenting themselves from the House, to defeat the bill by preventing a quorum. The debate was protracted until May 22, 1854, when after a thirty-six hour session the bill passed by a vote of 113 to 110.

The question of Douglas's motive was summarily answered at the time, at least by his opponents. Chase's assertion in the "Appeal" that it was the price Douglas paid for southern support in the Democratic national convention of 1856 was widely believed. Historians have not been satisfied with that answer. For one thing, as the balloting in 1852 had shown, Douglas was more in need of votes in his own Northwest than in the South. So, if his bill were a bid for support, it was not directed at the South.

Douglas's
Motive

It seems more reasonable to accept the explanation of his biographer, Allen Johnson. Douglas had two chief interests, the Democratic party, and the Pacific railroad project. He felt that his party was in grave danger of dissolution, because it had no great unifying principle to consolidate it. This lack he endeavored to supply in his doctrine of popular sovereignty. He was led to favor two territories, Kansas and Nebraska, because of the demand for them in the West. Missouri was interested in the southern part,

Iowa in the northern. Moreover, if only one territory were organized, it seemed likely that the majority of settlers would go into the southern part, and that would mean a central Pacific road. With two territories, there might be at least an even chance for the northern route which Douglas favored.

It is clear too, in spite of the charges of his critics, that Douglas had no intention of establishing slavery in the territories. He was willing to make such establishment legally possible, to win southern support for a northern transcontinental railroad, but he felt that climatic conditions would effectively bar slavery out of that part of the West. He insisted that the prairies were dedicated to freedom by divine law. The simplest explanation of his motive is probably the true one: he really believed in popular sovereignty.

No matter what his motive may have been, Douglas made a tremendous blunder. He failed to gauge accurately the depth of anti-slavery feeling, or to realize how easily the whole uproar, allayed in 1850, might be revived. He might justify his doctrine of popular sovereignty with all the wealth of logical and historical argument at his command, but the abolitionists would have none of it, if it meant slavery in Kansas. On the other hand, the South would not accept the doctrine if it should threaten to make Kansas free.

It is easy now to point out one fallacy in the popular sovereignty argument. Douglas assumed that slavery was a local issue. It had been once, but that time had passed. It had become the most serious national issue confronting the country; and to northern leaders, even those who were not abolitionists, it seemed absurd to let a handful of pioneers decide a great question for the whole country.

With the passing of the Kansas-Nebraska Act the storm of anti-slavery controversy broke out anew. Because of the bitterness over the repeal of the Missouri Compromise, the temper was worse even than it had been in 1849, and the prospect of a peaceful settlement even less hopeful. All the valuable results of the Compromise of 1850 had been swept away in an instant. Regarding themselves as cheated, the anti-slavery forces were determined never to yield again, and their angry charges roused even the moderates in the South. Douglas had wrecked two great compromises, and in so doing he nearly wrecked the country. Greeley declared that "Pierce and Douglas have made more Abolitionists in three months than Garrison and Phillips could have made in half a century." Douglas with his Kansas-Nebraska bill brought the slavery question to a climax, and the outcome was war.

Some of the consequences of this colossal blunder had become apparent even before the bill was passed. On the last day of February, 1854, a number of anti-slavery Whigs and Democrats, with some Free Soilers, met at Ripon, Wisconsin, to protest against the Kansas-Nebraska bill. If the bill should pass, they threatened to organize a new political party, dedicated to the principle of the Wilmot Proviso: no further extension of slavery. One of the participants suggested the name "Republican" for the proposed party.

Results of
Kansas-
Nebraska Act

The Republi-
can Party

In July the party was actually started, in a meeting at Jackson, Michigan. The promoters demanded the repeal both of the Kansas-Nebraska Act and of the Fugitive Slave Law, and advocated the abolition of slavery in the District of Columbia. During the summer and fall of 1854, "anti-Nebraska" conventions were held in a number of states, and candidates were nominated for the fall elections. By November, 1854, the Republican party was an accomplished fact.

In 1854 the new party was stronger in the Middle West than in the East. Although in Maine the Republican party became a going concern in 1854, in Massachusetts and New York for various reasons the new sectional organization found little support. Seward, the leading anti-slavery leader in New York, was a Whig, and he refused to give up the old party for the new experiment. Moreover, especially in the East, the voters found a means for punishing the Democrats without voting either Whig or Republican tickets. A secret political party, known officially as the "Order of the Star-Spangled Banner," unofficially as the Know-Nothings, had been organized about 1850. The force back of it was hostility to the growing influence of the Irish Roman Catholics in politics. Its origin had been in no way connected with the Kansas-Nebraska bill, but in view of the fact that most of the Irish voters were Democrats, it was easy for the anti-Irish and anti-Nebraska elements to join.

The Know-
Nothings

The party was organized like a fraternal society, with local and state councils, or lodges, all under the direction of a national council. It had its secret passwords, ritual, and oaths, along with the paraphernalia of any secret society. Candidates were nominated by the officers, and every member was bound by oath to vote for these candidates, regardless of his own personal preferences. The element of secrecy and the chance to punish the Pierce administration attracted thousands of voters. Moreover, the Democrats found it impossible to launch any campaign against it. Not only were the names of the members unknown to the general public, but even the leaders were able to keep themselves mysteriously in the background. Its opponents were left completely in the dark. Know-Nothing strength was derived from the elements of fear and uncertainty.

The elections of 1854 showed what Douglas had done. In the Northwest, at the time the Kansas-Nebraska bill was passed, all the Senators and 24 of the 29 Congressmen from Indiana, Illinois, Michigan, Wisconsin, and Iowa, were Democrats. In this same section, the new anti-Democratic coalition of one sort or another carried every state but Illinois. The same forces carried Maine, Vermont, and New York. The Know-Nothings polled over a quarter of the total vote in New York, over two-fifths in Pennsylvania, and nearly two-thirds in Massachusetts. In a number of states the candidates chosen on a Republican platform were Know-Nothings.

Because of the variety of party designations used in this election, it is impossible to classify the members exactly. The outstanding fact is that the

New Party
Alignment

Democrats lost heavily. In place of the 159 disciplined followers who put the Kansas-Nebraska bill through, the Democrats had only 75 in the new Congress. Of the opposition, there were perhaps 117 Know-Nothings, and about 40 straight Republicans. The difficulty in attaching labels to the opposition may be seen in the discrepancy in figures given in the various accounts. One authority found 105 Republicans to 40 Know-Nothings. With old party lines broken, it seemed almost impossible for a time for the House to organize. From December, 1855, to February, 1856, the chief business was an angry contest over the Speakership. Finally Banks, the Republican, was chosen.

Under ordinary conditions the Whigs might have profited from this outburst of anti-Democratic rage, as they had done in 1840 after the panic, but the Whig party had been badly broken in 1852; by 1854 it was a wreck. By intensifying the feeling over slavery the Kansas-Nebraska bill had widened the gap between the northern and southern wings of the Whigs. They had never been any too well tied together, and the strain of 1854 proved altogether too heavy. With the Whigs out of the way, it remained for the Presidential campaign of 1856 to decide whether the Know-Nothings or the Republicans should become the dominant party.

POPULAR SOVEREIGNTY IN KANSAS

Settlement
of Kansas

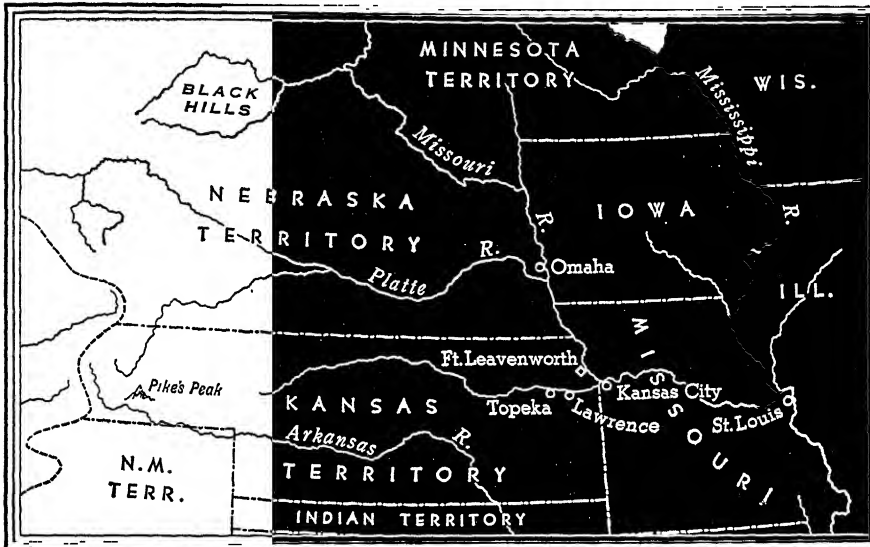
While both the old national parties were feeling the impact of northern anger over the repeal of the Missouri Compromise, the territory of Kansas was giving a demonstration of the working of popular sovereignty under the most abnormal conditions. Ordinarily, after the organization of a territorial government, it took years to bring the population up to the point necessary for statehood. The Northwest Territory for example, had been organized in 1787, while the first state to be admitted from it, Ohio, did not enter the Union until 1803. Illinois was not admitted until 1818, and Michigan not until 1836. Settlement had gone on with fair regularity there, and because of the absence of any forcing of issues, or of any country-wide interest in the local problems, popular sovereignty was a safe working principle.

In Kansas everything was different. Congress was committed in advance to a theory which had been imposed without reference to local conditions, and the whole country had a feverish interest in proceedings there. The first migration into Kansas was similar to those which had occurred at other regions on the frontier. Settlers moved into Kansas from the Northwest, particularly from Iowa, Indiana, and Illinois, and from some southern states, particularly from Kentucky and Missouri. In addition to this type of settlement, which might be described as normal, there was considerable assisted emigration. In the reform belt of the North, and in a few cases in the South, groups were organized to promote the settlement of Kansas. Pioneers who went to the territory under these auspices were in the nature of missionaries, bent on making Kansas a Free Soil or a slave territory, as

the case might be. It was their duty to see that popular sovereignty produced the result desired by their respective sponsors.

In the North this assisted emigration was carried on by a network of Kansas Aid Societies, organized chiefly in Massachusetts, New York, and Ohio. The most famous of the group was the New England Emigrant Aid Company, which was incorporated in Massachusetts. This concern founded towns in Kansas, of which the best known is Lawrence. It provided the settlers with such essentials as grist mills and saw mills. Precisely how many

Assisted
Emigration



MAP 22. TERRITORIES OF KANSAS AND NEBRASKA.

settlers went to Kansas under the auspices of such organizations is not known. The manuscript records of the New England Emigrant Aid Company report a total of eighteen parties of emigrants, with 1,240 settlers. None of the other companies even approached this total. From the little evidence available it is safe to conclude that these assisted emigrants comprised only a minority of the population, but they were a vocal and obstreperous minority.

During these same early stages of settlement in Kansas interested parties in Missouri sent pro-slavery pioneers into the territory. These efforts were supplemented by the work of Colonel Buford of Alabama, who raised a company of 300 men to help Kansas. Unlike the protégés of northern aid companies, this group went unarmed; the members carried Bibles instead of rifles. Upon their arrival in Kansas, however, they were promptly supplied with the more worldly weapons. Although the South was interested in Kansas, it did not send as many missionaries as the North. Even so, the strength of these opposing groups was great enough to alarm thoughtful

observers. In a special message to Congress in January, 1856, President Pierce called attention to "the extraordinary measure of propagandist colonization of the Territory" and he warned that serious trouble would follow.

As settlers came into Kansas, federal authorities took the first steps in organizing a territorial government. The newly appointed governor, Andrew H. Reeder of Pennsylvania, named November 29, 1854, as the date for the election of a territorial delegate to Congress. On that day more than 1,600 armed men from Missouri, organized in "Blue Lodges," entered the territory and voted for Whitfield, the pro-slavery candidate, for the office. He was elected, and Congress admitted him. In February, 1855, a census was taken; this showed a total of 8,601 inhabitants—with 3,000 voters—over half of whom came from the South, with only 700 from New England. Had this census been taken in the preceding fall, or if it had been delayed until the following spring, the figures would probably have been different. Thousands of pioneers from the Northwest had gone into Kansas, staked out their claims, and then, as was common, returned home for the winter. They of course did not count.

In March, 1855, Governor Reeder announced that elections to the territorial legislature would be held on the thirtieth of the month. He gave only a brief advance notice of the election, and of the pioneers who had gone home only those in Iowa and Missouri were able to get back in time to take part. The Kansas-Nebraska Act gave the right to vote to all free white male inhabitants, twenty-one years of age or over, actually resident in the territory. No specified length of time for residence could be named, because when the act was passed, there were practically no legal residents in Kansas. Governor Reeder seems to have taken what little precaution he could against fraud, but no person in his position could have done much. It was impossible to distinguish the settler from Iowa who came in, put up a shack and intended to stay, from the Missourian who went through the same motions, and intended to go home as soon as the election was over. The judges of elections had to be satisfied with a mere declaration of intent, and declarations were easy to make. According to some authorities, at least 5,000 armed Missourians crossed the border on election day, and helped materially in rolling up the total of 6,307 ballots. But this report needs to be taken with caution. Because of the hasty return of many of the genuine settlers, the vote was inevitably larger than the census figures warranted. It is impossible to tell how much fraud there was.

Upon protest of the voters, Reeder ordered new elections in seven districts where fraud had been unusually flagrant. When the legislature assembled apparently every member came heavily armed. Governor Reeder took his place as presiding officer, and laid two revolvers loaded and cocked on the table beside the election returns. In the supplementary elections six anti-slavery men had been elected. The legislature was strongly pro-slavery, and these six were promptly unseated, and those originally chosen, all pro-slavery,

were admitted. Then the legislature proceeded to enact a set of laws covering slavery, all designed to prevent any anti-slavery discussion. A penalty of two years at hard labor was provided for any person who denied, either in speech or in writing, the right of persons to hold slaves in the territory. By the summer of 1855 the pro-slavery element had full possession of the territorial government. Governor Reeder, originally pro-slavery in sympathy, had been disgusted at the violation of law, and not long after he had given President Pierce a full account of the situation he was removed from office. So complete was his conversion to the anti-slavery group that he became their candidate for territorial representative in Congress.

The Free Soilers in Kansas were not the men to let the pro-slavery settlers have their own way unopposed. Under the leadership of Dr. Charles Robinson, who had been trained in the California school of politics, they determined to ignore the territorial government, to organize a state government, and to appeal for admission as a free state. On October 23, 1855, a convention consisting only of Free Soilers met at Topeka. After passing an ordinance to prohibit any Negroes, free or slave, from entering the state, the delegates drew up a constitution. One month later the Free Soil voters elected a governor and legislature. On December 15, 1855, the Free Soil constitution was submitted to popular referendum. Only 1,731 votes were cast in favor of it, a fact which demonstrated the numerical weakness of the party. And yet in spite of this evidence, on March 4, 1856, the Topeka legislature applied to Congress for admission to the Union. During this same winter the Topeka government sent representatives to the eastern states, to raise money and to stir up sentiment in support of the Free Soil cause.

The Topeka
Government

With two rival governments in operation, one territorial, the other calling itself a state organization, violence was bound to come. The first outbreak occurred in December, 1855, in the contest known as the Wakarusa War. By the following spring the two factions were engaged in actual civil war. On May 21 a pro-slavery force attacked the town of Lawrence, headquarters of the Free Soil group, burned the hotel, destroyed the newspaper, pillaged a number of houses, and killed two men. Three days later a Connecticut Yankee by the name of John Brown, who had gone to Kansas by way of New York, took vengeance on the pro-slavery element. He led a small force to Pottawatomie Creek, pulled five pro-slavery men out of their beds, and had them killed on the spot. This cold-blooded murder brought him considerable notoriety. More will be heard of him later. As the struggle went on, more than two hundred settlers lost their lives, property was destroyed to the amount of two million dollars and agricultural activity was brought almost to a standstill.

Civil War in
Kansas

On Charles Sumner of Massachusetts, member of the United States Senate, this civil war in Kansas made a profound impression. On May 19 and 20, 1856, Sumner shocked his colleagues with a speech entitled "The Crime against Kansas." Lewis Cass, the oldest member of the Senate, de-

"The Crime
Against
Kansas"

scribed the speech as "the most un-American and unpatriotic that ever grated on the ears of the members of this high body." If Sumner had spoken on the spur of the moment, in a sudden outburst of temper, there would perhaps have been more excuse for him. But he had spent weeks in preparing this speech, carefully working over every sentence and paragraph until they were polished sufficiently to accord with his exacting standards. Then for some reason known only to himself, he endeavored to give additional point to his remarks by reducing them to the concrete and the personal. Selecting Senator A. P. Butler of South Carolina as his special victim, and commenting on the fact that Butler was absent at the time, he covered him with ridicule and insults.

Of course he has chosen a mistress to whom he had made his vows, and who, though ugly to others, is always lovely to him; though polluted in the sight of the world, is chaste in his sight—I mean the harlot slavery. For her his tongue is always profuse in words. Let her be impeached in character, or any proposition made to shut her out from the extension of her wantonness, and no extravagance of manner or hardihood of assertion is then too great for this senator.

Sumner went far in presuming upon his Senatorial immunity from prosecution, and Butler had no legal redress. Two days later, after the Senate had adjourned, Sumner was seated at his desk, writing. While he was there Preston Brooks, a member of the House of Representatives from South Carolina, and a relative of Butler, came up to Sumner. Announcing his name, but without giving Sumner a chance to rise, he pounded him over the head with a heavy gutta-percha cane. Sumner finally broke his desk free from its fastenings, and struggled to his feet, but, dazed and bewildered by the heavy blows, he could do nothing to defend himself. A Senate page ran to inform Tjombs, Douglas, and Slidell, who were conversing in an anteroom, of what was going on, but they did not interfere. By the time Brooks was forcibly stopped, he had beaten Sumner into insensibility. In the North, Sumner's speech was taken as a matter of course, a justifiable assault upon an evil institution, and the section was roused to horror over Brooks's retaliation. In the South the horror was over Sumner's speech, while Brooks was hailed as a hero.

ABOLITIONISTS URGE WAR AGAINST THE FEDERAL GOVERNMENT

Civil War in Kansas with assault and battery in the United States Senate seemed to be a new southern challenge to the militant Free Soilers of the North, and they were quick to respond. In a letter published in the *Syracuse Journal*, May 31, 1856, Gerrit Smith called for real war upon the Missourians: "I wish the convention [one of his Radical Political Abolitionist gatherings in Syracuse] would go with me in voting slavery to death. But I tell you, gentlemen, with all my heart, that if the convention is not ready to go with me in voting slavery to death, I am ready to go with it in putting

Kansas Aid

slavery to a violent death . . . concluding that your convention will decide to fight rather than to vote against slavery, I hope it will originate a movement as broad as our whole State. . . . I hope to hear that it has adopted measures to raise one million dollars and one thousand men. . . . Hitherto I have opposed the bloody abolition of slavery. But now, when it begins to march its conquering bands into the Free States, I and ten thousand other peace men are not only ready to have it repulsed with violence, but pursued even unto death, with violence." He was ready to contribute \$10,000 of the proposed million.

On June 9, 1856, at a meeting in the Broadway Tabernacle, New York City, eastern friends of Kansas agreed upon plans for a more comprehensive and more effective organization in behalf of Kansas aid. To supervise this work, and to raise the \$2,000,000 which he thought it would cost, Reeder proposed to organize a National Kansas Committee, with headquarters at Chicago. There were to be no salaried officials, Reeder said: "the whole work to be one of unadulterated patriotism."

To carry through the project of establishing a National Kansas Committee, with auxiliaries in every state, county, and town throughout the North and West, the militant friends of Kansas held a convention at Buffalo, July 9, 1856. Here fifty-six delegates assembled, from twelve states and from the territory of Kansas. Called to order by Andrew H. Reeder, this Buffalo convention appointed a committee of thirteen to report a plan of action for aiding Kansas. They recommended the appointment of a National Kansas Committee, to consist of one member from each state, provided suitable persons could be found, and in addition five residents of Chicago. Chicago would be the usual place of meeting, and there would be a quorum.

In the course of this meeting at Buffalo Gerrit Smith submitted a series of resolutions, two of which provoked a lively discussion. "1. Resolved, that armed men must be sent to Kansas to conquer the armed men, who came against her. . . ." 4. The attempt to force slavery upon Kansas must be defeated "at whatever cost," and "that too, whether the Administration shall, or shall not, continue to favor the nefarious attempt." In a speech supporting his resolutions, Smith accused the federal government of having "identified itself with the scoundrels, who invade and tyrannize over Kansas. It is sunk and lost in Border Ruffianism. Had we a government, we should have no occasion and no right to be here. . . . When government does not exist—when government is not present—individuals and communities must do as best they can. . . . We may wield the sword, because there is no government; or rather, because through the failure of government, we obey the necessity of the case, and recognize ourselves to be the government." The effort to distinguish between the "Missouri Ruffians" and the federal government, he characterized as an "absurd distinction" and a "disastrous inconsistency." There can be no reliance on elections to save Kansas, he continued. "You are looking to ballots, when you should be looking to bayonets;

Demands for
War

counting up voters, when you should be mustering armed and none but armed emigrants; electioneering for candidates for civic rulers, when you should be inquiring for military rulers. . . . Political action is our greatest hindrance, because it delays the only remedy for the wrongs of Kansas . . . the action of armed men. . . . If all manhood has not departed from us, we will not consent to leave our Kansas brethren to be butchered." He hoped "the Convention will pass one or both of those [resolutions] which look to the protection of Kansas by physical force, and against whatever foe, Federal troops or any other troops. If our brethren in Kansas can be protected only by the shedding of blood, then blood must be shed."

The creation of the National Kansas Committee marked the climax of the campaign to "save" Kansas for freedom. Incidentally it gave the radical abolitionists a national forum from which they could proclaim their readiness to underwrite war upon the federal authorities. At the present time it seems almost incredible that men of their position should have made themselves notorious by advocating treason. The explanation would seem to be found in the doctrine of the higher law which Seward had already elaborated in the Senate. To the abolitionists slavery was a sin, and the obligation to overthrow sin transcended every duty owed to a mere earthly power. If government upheld sin, the righteous person must cleanse the government.

With civil war on a small scale actually going on in Kansas, and with belligerent principles not only circulating but finding favor in the North, thoughtful Americans might well have stood aghast at the prospect. The movement to aid Kansas seemed likely to ruin the United States. Without clearly realizing how much he and his associates were doing to promote chaos in the nation, the abolitionist, Gerrit Smith, talked of danger to the republic, but he placed all blame upon the pro-slavery element. Writing to his friend Giddings shortly after the Buffalo convention, he prophesied a crash: "I speak deliberately when I say, that there is reason to fear that our Government is rapidly drawing to its close. The encroachments and outrages of the slave-power on the one hand, and the base submission to them on the other have apparently brought us to the period of the breaking up of the nation."

Before the complete collapse of the project for saving Kansas through the agency of an integrated system of committees extending throughout the free states, the friends of the heavily advertised territory were at work on a new plan. They would induce the free state governments to intervene in the affairs of Kansas and by so doing offset the pernicious pro-slavery policy of the Pierce administration. In the attempted execution of this part of the Kansas aid program, there were two related movements. One aimed at peaceful protest and financial help, with Amos Lawrence as the most active leader; the other called for the creation of state military forces to be used against the federal troops in Kansas. The Reverend Thomas Wentworth Higginson was the most conspicuous proponent of this second policy,

but for most of his plans he had the cordial written endorsement of Gerrit Smith. In his advocacy of the more peaceful part of this proposal for state intervention, Lawrence suggested an appropriation by the legislature of Massachusetts, to be spent by the governor for prosecuting claims of "our citizens" in the courts of Missouri. He also suggested appropriations of not less than \$1,000,000 by each state, to be used for protecting emigrants on their way to Kansas. A few days later Lawrence was considering the possibility of a joint protest of free state governors against the failure of the federal authorities to safeguard the pioneers in Kansas. In one form or another these proposals for state interference were laid before the governors of Massachusetts, Vermont, New York, Ohio, Wisconsin, Iowa, and possibly Michigan.

Thomas Wentworth Higginson and Gerrit Smith, on the other hand, indulged in treasonable talk, after the manner of Smith's speeches at Albany and Buffalo, described above. In October, 1856, Smith delivered another vigorous plea for violence: "From the very first, I have plead earnestly, in both State and National Kansas Conventions and elsewhere, that the friends of Freedom in and out of Kansas should array themselves as well against the Federal troops, as against the Missouri marauders. . . . But alas, silly and insane counsels prevailed," and it was decided not to oppose the Federal forces. "But why, in the name of reason, were we bound to have any more respect for the Federal Government than for the Border Ruffian Government? . . . Why, indeed, were we not equally bound to regard both governments as spurious, and worthy only of our execration and resistance?"

Treasonable
Talk

These Easterners who worked off their resentment over the course of affairs in Kansas in mere words sometimes received encouragement from bolder spirits at the front. A semi-literate emigrant from Maine wrote Higginson: "I perpose to take about 60 or more good men well acquipped and mounted and Garilla as long as there is a Ruffian in Kansas, my plan is not to show any quarters, and consequencely take no prisoners, but give them their own play. Do with them as they do with us. Not to meddle with quiate Famlys, but where we find them in squadds, Butcher them clean by the board."

The advocates of military intervention talked of sending ten thousand bona fide settlers to Kansas at once, and ten thousand more men were to be enrolled in the states, officered, drilled, armed, and made ready to rendezvous in Iowa, in readiness to march into Kansas in case of another invasion from Missouri. The free state legislatures were to be called upon for \$2,000,000, to defray the cost of this military operation. Then the belligerent clergyman, Thomas Wentworth Higginson, submitted a more radical plan of action to Gerrit Smith. He wanted "to start a *private* organization of picked men, who shall be ready to go to Kansas in case of need, to aid the people against *any* opponent, state or federal." Smith's reply was characteristic: "I rejoice in your view of our duty to resist the foes of Kansas impartially—

as you say, 'State or Federal.' Alas, how absurdly the friends of Kansas have behaved at this point!"

By the end of the winter of 1856-1857 the far-flung Kansas Aid Movement was practically finished. The various units were out of funds and even their agitation almost stopped. The grandiose display of abolitionist emotionalism had certainly stirred up the abolitionists and the South. What had it done for Kansas? The New England Emigrant Aid Company did provide its settlers with such essential helps to pioneering as sawmills and grist-mills, and it did found towns. But Kansas was settled, not by visionary abolitionists from New England and New York, but by pioneers from the Northwest. Emigrants from Illinois and Iowa rather than from Massachusetts and New York made Kansas a free state. Furthermore, the quality of material sent out by the Kansas aid committees was considerably below standard. William Hutchinson, a Vermonter then living at Lawrence, Kansas, had no illusions on this score. Answering a specific question as to the kind of settlers furnished by the aid groups, he said that they were a mixed lot. "On the whole, I must say, that until the last party arrived, I think the individuals sent to the Territory during the last three months have not strengthened our cause, nor added to the moral stamina of our people." Between August and November, 1856, he wrote, at least a thousand alleged settlers had left Kansas. The presumption is, though he did not say so, that they were Free Soilers from the East.

Hutchinson's restrained comments on the character of some of the Free Soilers may be explained by the simple fact that he was one of them. Not all pioneers from the North were so charitable in expressing their opinions. A former resident of Boston, Massachusetts, who had lived in Kansas for two years had little respect for his new neighbors. "The whole country abounds in unprincipled men," he wrote John A. Andrew of Boston, "and especially does this remark apply to Lawrence which place is a great rendezvous for rogues and horse thieves and not a suitable place for any decent person. Some of our principal men are charged with being connected with bands of horse thieves. Principle and honor is unknown here— Their motto is to make money at all hazards by fair means or foul." This, of course, is only one man's opinion, but it specifies explicitly what Hutchinson hinted at in general terms. If these allegations were true, the free soil agitation had not promoted the cause of virtue and sound citizenship.

Higginson became so disturbed over his plans for civil war in Kansas that he could not be content to live quietly under the existing national government. He wanted to join Garrison in breaking up the Union. In a letter of November 22, 1856, Higginson outlined his plan for a convention in Worcester, Massachusetts. This convention would "consider the idea of Disunion between Free and Slave States, *as a practical problem which the times are pressing on us*, and not merely as a technical scruple about the construction of the Constitution. Garrison, Phillips and others see that the

Value of
Assisted
Emigration

Abolitionists
Plan Secession

time is come for such a movement, and will gladly cooperate on a common platform, with all who believe that the time is come for resisting the U. S. Government in Kansas, and sustaining such resistance everywhere else. I greatly desire such a convention." He urged Smith to attend.

In his reply of November 27, 1856, Smith showed less enthusiasm for the convention than for a civil war in Kansas. "As to disunion. My doctrine . . . is that peoples may break up and unite politically, at their pleasure. If the North and the South cannot live together harmoniously, let them separate—and that too wholly irrespective of the terms of the Fed. Constitution. But I prefer to have the South take the lead in this matter. I shall be greatly interested in the proposed meeting—tho' it is not probable that I shall attend it."

A formal call for the disunion convention to meet at Worcester on January 15, 1857, signed by eighty-nine names, explained that the promoters believed "the existing union to be a failure, as being a hopeless attempt to unite under one government two antagonistic systems of society, which diverge more widely with every year." Brief quotations from the speeches delivered in the convention itself reflect, far too dimly, the intensity of feeling displayed there. The Reverend Samuel May, Jr., pastor of the church in Leicester, Massachusetts, proclaimed that "it is time, high time, and long has been time, when we should cut forever the bloody bond which unites us to the slaveholders, slave-breeders, and slave-traders of this nation, and henceforth have no part nor lot with them in the iniquity and infamy which they are determined to perpetuate." Wendell Phillips told the assembled disunionists: "This has been a decent government in its day, but it is pregnant with momentarily bad results. It has prostituted the pulpit,—it has made the people cowards, it has made slavery triumphant,—it has made literature vassal and corrupt, and it has transformed twenty millions of people into slave-catchers. What a history!"

The collapse of the Kansas Aid Movement in the East unfortunately did not end the struggle in Kansas. President Pierce had tried to uphold national authority and he used national power to protect the pro-slavery faction. James Buchanan, Democratic candidate in 1856, promised, if elected, to provide for a fair vote in Kansas. When he became President in 1857 he planned to bring peace and order to the troubled territory. His policy called for the appointment of an impartial, fearless, honest governor, who would secure a fair registration of voters, guarantee honest elections, and give the voters in the territory a genuine opportunity to decide for or against slavery.

The new governor was a man of national prominence, Robert J. Walker of Mississippi. He had been a Senator from his state and Secretary of the Treasury under Polk. He seemed to possess the qualities required. When he arrived in Kansas, he found a movement well under way, the purpose of which was the framing of a pro-slavery constitution. The Free Soil party steadily refused to vote in any territorial elections, so there would be no

Buchanan and
Walker

opposition to the plan. On June 15, 1857, delegates were elected to a pro-slavery convention to draft the constitution. Walker tried to induce the Free Soil men to vote, but they refused. As a result, fewer than one-eighth of the voters took part, and the convention chosen was unanimously pro-slavery. Walker still persisted in his efforts to have the Free Soil group vote, especially in the approaching election of a territorial legislature. This time he was successful, and by rigidly insisting upon the exclusion of all those not qualified to vote, Walker secured an honest election. This left the Free Soil party in control of the legislature, because by that time they heavily outnumbered the pro-slavery group.

Lecompton
Constitution

The minority, however, went ahead with its convention at Lecompton, and framed its constitution. Instead of submitting the whole document to popular vote, they submitted only a single article dealing with slavery. But other parts of the document provided for the protection of slave property already in Kansas, regardless of the vote on that particular section. The Free Soil party and the North in general characterized the plan as a miserable trick. Governor Walker himself, a slaveowner from the lower South, told the leader in the enterprise that the scheme was "a vile fraud, a base counterfeit, and a wretched device to keep the people from voting." After the convention adjourned, Walker made a hurried trip to Washington, to lay the matter before the President. Once there, he found that the President, under the influence of Jefferson Davis, and because of fear of armed action in the South, had concluded to support the Lecompton constitution. Walker resigned. Buchanan's decision to approve the pro-slavery scheme, and to repudiate the governor whom he had promised to support, wrecked the Democratic party.

Douglas, the apostle of popular sovereignty, informed Buchanan that he would repudiate the Lecompton plan, and did so, in spite of threats to drive him out of the party. In reply to the President's message to Congress, upholding the Lecompton constitution, Douglas insisted that the voters must be allowed to pass upon the whole constitution, called the scheme "mockery and an insult," and virtually announced his withdrawal of support from the administration.

On December 21, 1857, the pro-slavery Kansans voted on the Lecompton constitution; it was approved by a vote of 6,226 to 569. More than a third of the affirmative votes were subsequently proven illegal. Then the territorial legislature, with its anti-slavery majority, set a date for another vote, when the voters would be given a chance to accept or reject the whole constitution, not merely the single slavery section. In January, 1858, they registered a vote of over ten thousand against the document. In spite of this showing Buchanan advised Congress to admit Kansas as a state under the Lecompton constitution.

The administration Democrats proceeded to attack Douglas for his refusal to support the President. Every one of his adherents was summarily

dismissed from the civil service, and every Democrat was informed that a similar penalty was in store for any who ventured to vote against the approved program. Next, the forces of the administration framed the English bill, providing for a resubmission of the constitution to the voters of Kansas, on the condition that if they rejected it, the state would lose a part of the public land to which it was entitled, and also that it could not be admitted as a state until the population equaled the ratio required for a representative in Congress. This scheme to bribe the Kansans to accept the Lecompton document, and to punish them if they rejected, passed Congress, in spite of the vigorous opposition of Douglas. In August, 1858, the voters decided the question, 1,926 in favor of the Lecompton constitution, 11,812 against. With this decisive triumph for the Free Soil cause, the bitter struggle in Kansas was over. But the Democratic majority in Congress would not admit the territory into the Union; this step came after the election of 1860.

The English
Bill

Dred Scott, Lincoln, Douglas, and John Brown

ECONOMIC ISSUES AND POLITICAL THEORIES

IN LOOKING back upon the troubled decade from 1850 to 1860—the “age of hate” as it has been called—historians of today find it hard to give a satisfactory explanation of the numerous cross currents in American action and American thought. No country in the world ever enjoyed more favorable conditions for living and none had a more promising future. Thanks to the recent acquisitions of territory, the American people had land enough for ages to come. No other individual nation could boast so much in the way of natural resources, growing transportation facilities, expanding industry, or profitable agriculture, to say nothing of an intelligent, energetic population. The various economic activities had continued to expand, with pleasing profits to all parties concerned. Furthermore the United States was safe from danger of invasion by a foreign foe—safe until mankind took to the air for its fighting; this security against military attack freed the Americans from the burden of costly armament.

In some respects the economic outlook in 1857 was even more promising than it had ever been before. During the late 1820's and early 1830's the price of cotton had fallen steadily, with serious consequences for the older cotton states. During the 1850's, however, the price advanced again, standing around eleven cents per pound for a time, and then, in 1857, going up to fourteen cents. At the same time, because of a marked increase in the world-wide demand for cotton cloth, manufacturers in the United States and in Europe were demanding more raw cotton from the South. In 1860, production reached a new high figure of 5,300,000 bales, practically 87 per cent of the total world production of that year. Here was a volume of business which might have held out the promise of adequate income to old and new cotton states alike.

To cite only one other example, the output of wheat in the Northwest showed a remarkable increase. In 1849 the country raised 49,157,701 bushels of wheat, but in 1860 the total stood at 95,004,000. Between 1849 and 1859 the price rose from \$1.20 to \$1.55 and there seemed to be no slackening in demand. American farmers were more than holding their own.

Heavy increases in the production of the major staple crops were accompanied by an increased volume of exports. American shipowners took advantage of the expanding foreign trade and provided the transportation.

This was the great era of the clipper ship. Between 1846 and 1857 American shipping engaged in foreign trade increased from 943,000 tons to 2,268,000. In 1857 the American merchant marine in both foreign and domestic commerce showed a total tonnage of 5,299,000, almost the equal of that of Great Britain, the greatest shipping country in the world.

To offset this pleasing picture of industrial and mercantile expansion, the year 1857 was marked by a widespread economic depression. This crisis resembled that of 1837, in both causes and effects. It was due in part to excessive investment in railroad building, excessive in the sense that some of the mileage laid down would not become profitable for years to come. Then there were ill-advised real estate booms, as there had been in 1837. Again the banking system of the country—if anything so disjointed could be called a system—was not adequate for the increasing volume of business. Bank notes were issued with the same prodigality which had been so evident in Jackson's administration, and with the same lack of regard for security. There were no federal controls over banking at this time. The crash was marked by business failure, and by unemployment in the industrial areas; New York City alone had 40,000 unemployed. But the panic of 1857 was only a temporary interruption of economic progress and its effects were largely confined to northern centers. By 1860 recovery was general. In this respect the depression was less serious than many others.

Depression
of 1857

There was one significant aspect of American economic activity of this period; almost all the profits went to the North. To be sure, the producers of southern cotton and tobacco received the market price, and the commission agents who sold the products may have been located in the South. But banking, foreign exchange, and insurance were services provided chiefly by northern business firms, and northern men received the profits. Most of the shipping was owned in the North. So too were the factories. New York was the recognized financial capital of the nation. Consequently, while the South had to be satisfied with the income only of the farmer and the commission dealer, the North had the larger and more gratifying returns from all other branches of business. Businessmen have always been able to charge more, proportionately, for their services than farmers have for their crops, so there was a discrepancy in income. Wealth was concentrating in the North, just as the collateral branches of business were. Relatively, the South was falling behind.

Northern
Profits

This fact was not lost upon southern writers, and they argued about it for years. Their economists convinced themselves and their associates that their section was being unmercifully exploited by northern financiers. According to the southern thesis the South produced the real wealth of the nation, the basic raw materials which formed the bulk of American exports. Furthermore the South bought most of the imported goods and paid unnecessarily high prices because of the tariff. The fees, charges, and commissions paid for banking and insurance, for transactions in foreign exchange,

and for shipping were all in the nature of tribute levied upon the weaker but more deserving section, by unscrupulous money-grubbers who lived far away.

It is easy now to point out the fallacies in this reasoning. The North had not sprung suddenly into existence, full grown, with its manifold economic structure completely developed. On the contrary this supremacy was the composite result of the activities of many thousands of individuals, the first of whom started from scratch. In the beginning the opportunities were open to all, regardless of section. There was nothing in the eternal verities which decreed that New York rather than Charleston or Baltimore should become the financial and business center of the nation. As Robert G. Albion has shown so convincingly, it was neither luck nor merely geographical location which put New York at the head of all American cities. It was the enterprising spirit and superior ability of her merchants, bankers, and businessmen. They handled the cotton trade of the South because they could do it better and less expensively than the Southerners themselves. Again, there was nothing in nature alone that gave the Northeast its industrial supremacy; since the 1880's the South has taken the lead in cotton manufacturing. The South might have achieved this distinction before 1860, if the right kind of men had taken hold. In 1845 Gregg urged this very policy upon South Carolina, but his argument brought no results. In the South the men of wealth chose to devote themselves to the production of cotton, and in doing so they left the more profitable lines of business to others. To the producers of cotton went the income of producers, and no more.

Plain as this explanation seems now, it was not apparent to southern writers before 1860. They were inclined to be sorry for themselves and bitter at the exploiters in the North. But the discussions in Congress did not deal with northern and southern differences in precisely these terms. There was considerable talk of the inequitable working of the protective tariff, and in 1857, under the influence of Howell Cobb, a new tariff act cut the rates to an average of 19 per cent. This was the nearest approach to free trade which the country had seen since the close of the War of 1812. This low tariff did not help the South particularly, thereby proving that it was not the only cause of economic backwardness in the South. On the other hand, it did antagonize several important interests in the North and West. The lower rates on imported textiles aroused the manufacturers of New England, just as the lower duties on iron alienated many Pennsylvanians. Again the lower duties on raw wool stirred up opposition among the farmers in Vermont, Pennsylvania, and the West.

Here were matters which theoretically should have been uppermost in American political discussion, both before and after the Presidential campaign of 1856; they had to do with the major concern of all human beings, that of making a living. There were issues important enough and problems serious enough to command the undivided attention of the most brilliant

men in public life. But were they devoting themselves to these matters? Occasionally, but not continuously. Public officials in some way got themselves so immersed in the question of slavery, particularly the status of slavery in the territories, that any mention of this topic made them forget everything else. These men had seen the Whig party disintegrate because its members could not agree on all the principles of the Compromise of 1850. They had seen the Republican party come into being as a means of registering protests against the Kansas-Nebraska Act, and they had seen this party grow strong by playing up the cause of "bleeding" Kansas. It is therefore not surprising that politics and slavery should loom so large as to conceal the importance of the really significant developments then going on.

Democratic
Issues and
Candidates

Certainly the great economic questions of the day had little influence in the choice of Presidential candidates in the major parties, while "bleeding" Kansas had a profound influence. The Democrats had to select a candidate who would conciliate the wavering members of their party in the North, so they dropped both Pierce and Douglas. On the seventeenth ballot they picked James Buchanan of Pennsylvania, an old, conservative, easy-going man not likely to make trouble. One of his chief assets was his absence from the country during the debate over the Kansas-Nebraska bill. He had at least antagonized no one, and voters might reasonably consider him safe. He had represented his country abroad, and he had been Secretary of State under Polk. In the days of manifest destiny he had been an active expansionist. His contribution to the economic thought of his own or of any other day was conspicuous by its absence. He was an old-line regular politician and he was selected to lead his party for that and for no other reason. The platform upheld the doctrine of popular sovereignty as the best solution of the slavery problem, in spite of the unfortunate attempt to apply it in Kansas.

The Republicans had to be even more careful in their selection than the Democrats. As a new party, composed of dissatisfied Democrats and Whigs, they could not afford to show undue favoritism to either wing. Chase had been too good a Democrat to satisfy the Whigs, while Seward, the ruler of the Whig machine in New York, would never draw the vote of a single convert from the Democrats. Their choice fell upon John C. Frémont, the "Pathfinder," so called, whose career in California could be made to look like an asset. Frémont could never have traveled far in politics on his own merits, but the Republicans relied upon the widespread anti-slavery feeling to conceal the weakness of their candidate. The platform demanded the abolition of slavery in the territories and the admission of Kansas under the Topeka constitution.

Republican
Problems

After the campaign started, the Democrats in Congress, under the guidance of Robert Toombs, introduced a bill designed to get a fair vote of the Kansans themselves on the subject of slavery. The measure passed the Senate, but the Republicans killed it in the House. They would not con-

sider the admission of Kansas as a slave state, even if the inhabitants there favored slavery. Because of the Republican determination to prevent Congress from acting, nothing more was done and the new party was able to draw upon "bleeding" Kansas for the whole campaign.

The Know-Nothing party went to pieces during the campaign of 1856, even more rapidly than it had arisen. The northern and southern wings could not agree on slavery, and the northern members went over in groups to the Republicans. As the sectional party steadily gathered strength in the North, the more radical southern leaders began to renew their threats of secession. If the Republicans should win, they declared, the South would leave the Union. Senator Mason, of Virginia, went so far as to urge Jefferson Davis, the Secretary of War, to provide the militia in the southern states with arms from federal arsenals.

This renewed danger of disunion seriously affected the more conservative voters in the North. They were pleased by Buchanan's promise to secure a fair vote in Kansas, and they hesitated to goad the South by voting Republican. Buchanan was elected, with 174 electoral votes, to 114 for Frémont. The Democrats also secured control of both houses of Congress. In spite of the fact that the total popular vote of all non-Democratic parties and groups was larger than the Democratic total, the old party was well satisfied with the result.

If it had not been for the dispute over slavery in the territories, Buchanan's administration might have been concerned with problems connected with the normal growth of the West. There was, for example, the demand for a railroad to the Pacific, but this project was kept stalled by sectional rivalry over the most feasible route. Then there was the demand for federal land grants to promote agricultural education. Senator Justin H. Morrill of Vermont introduced a bill for this purpose which passed Congress, only to be defeated by Buchanan's veto. Buchanan rested his case on the pure principles of original Jeffersonian democracy. He called attention to the restricted field of federal authority and insisted that the national government should not encroach upon the rights of the states. "Should the time ever arrive when the State governments shall look to the Federal Treasury for the means of supporting themselves and maintaining their systems of education and internal policy, the character of both governments will be greatly deteriorated."

Then there was the demand for free land grants to settlers in the West. This too was embodied in a compromise bill, which reduced the price of land to twenty-five cents per acre, but under southern pressure Buchanan vetoed this measure, as he had the Morrill Act. He found it unconstitutional. By putting these policies into their platform in 1860 the Republicans were able to appeal to western voters in terms which won support.

Election of
1856

New Issues

THE DRED SCOTT DECISION

These matters might have provided the major issues for Buchanan and his opponents, but they did not. The issue of slavery in the territories took precedence over everything else. This time the Supreme Court was responsible for the new discussion of the troublesome problem. Two days after Buchanan's inauguration, the Supreme Court departed from its normal course of rendering decisions dealing only with legal aspects of slavery. In the Dred Scott case the Court tried to settle the constitutional aspects of the problem.

Facts of
the Case

The facts of the case are simple. Dred Scott had been the slave of one Dr. Emerson, an army physician. In the course of his professional duties Dr. Emerson took Scott with him to Illinois, a free state by virtue of the Ordinance of 1787 and the state constitution, and then into the northern part of the Louisiana Purchase, made free by the Missouri Compromise. In 1838 master and slave returned to Missouri. Emerson died in 1844, and Scott eventually became the property of one Sanford of New York. Several years later Scott brought suit in a Missouri court to secure his freedom, on the ground that residence in Illinois had automatically released him from slavery. The Missouri supreme court decided against him.

The case was then carried on appeal to the federal courts. The circuit court followed precedent, and upheld the decision of the Missouri tribunal, whereupon, by another appeal, the case was carried to the federal Supreme Court. There was ample precedent covering a case of that sort, which, if followed, would have brought a mere matter-of-fact decision, upholding the previous decisions. The majority of the Court decided to follow this course, and one of the associate justice was instructed to write the decision. Then the justices learned that two of their number, Curtis and McLean, were planning to write dissenting opinions, in which they would go at length into the legality of the Missouri Compromise. This old agreement had been repealed, in oblique fashion, by the Kansas-Nebraska Act, but the anti-slavery forces wanted the principle restored. With Curtis and McLean determined upon their course, the Court found it expedient to go into the whole complex question of Congressional authority over slavery in the territories.

In dealing with this case the Chief Justice, Roger B. Taney, wrote the majority decision but every justice on the bench put in an opinion of his own. The majority agreed with the Chief Justice, although they reached their conclusions by lines of reasoning different from his. Curtis and McLean dissented. All the opinions together ran to nearly three hundred printed pages.

In his famous decision, Taney upheld the lower courts in declaring that Scott was not free. Then the Chief Justice entered into a long, involved, and historically unsound dissertation upon slavery in the United States. No Negro could be a citizen, he said, because there were no Negro citizens

Decision of
the Supreme
Court

when the Constitution was adopted, and the document therefore applied only to whites. If he was not a citizen, of Missouri, or any other state, Scott could not sue in the federal courts.

Once that question was settled there was nothing more to be said, but Taney kept on going. Taking up Scott's plea that residence in Illinois and in the Louisiana Purchase had released him from slavery, the Chief Justice argued that Congress had no authority to legislate against the property rights of any citizen which were duly guaranteed by the Constitution. Slavery was one of these rights, therefore the prohibition of slavery in the territories was unconstitutional, and the Missouri Compromise had been unconstitutional and void from the date of its enactment. This final assertion had no logical place in the decision, and it had the force solely of Taney's personal opinion, or, as lawyers put it, it was *obiter dictum*, with no authority as a precedent. As for Scott's temporary residence in a free state, that did not make him permanently free because he had returned to Missouri, voluntarily, with his master. Having done so, he resumed his status as a slave.

Associate Justice Curtis pointed out the weakness in Taney's argument. It was easy to show that the assertion regarding Negro citizens had no foundation in fact, and equally easy to prove that there had been Negro citizens before, during, and after 1787. The theory that Congress had no right to prohibit slavery in the territories was contrary to unbroken custom followed since 1789. Curtis concluded by asserting that the Missouri Compromise was constitutional up to 1854, when it was repealed, and that Scott had been freed by his residence on free soil.

Instead of allaying bitterness over slavery, the decision, like the Kansas-Nebraska bill, made it worse than ever. Anti-slavery leaders pointed to it as further proof of the determination of the "slave power" to dominate all branches of the federal government. The Republicans were ready to ignore the decision, and they promised to reorganize the Court so that its decisions would be in keeping with anti-slavery views. At the same time, their leaders must have felt an inward satisfaction as they saw their strength increased by Taney's blunders.

The decision was a serious matter for the Democratic party. Douglas had tried to unite and consolidate the diverse factions on the principle of popular sovereignty and seemingly he had succeeded. At least the Democrats had approved the principle during the campaign of 1856. Then the Dred Scott decision proclaimed the right of any slaveowner to take his property into any of the territories, a right obviously inconsistent with popular sovereignty. President Buchanan and the southern Democrats generally took the side of the Supreme Court, while Douglas and his following upheld the principles of the Kansas-Nebraska Act. This split in the ranks of the Democrats promised trouble in the coming elections. The situation was so grave that the mid-term elections to the House and the campaigns for the Senate in

1858 attracted widespread attention. And every politician knew that the elections of 1858 were merely a preliminary to the Presidential struggle coming in 1860.

LINCOLN-DOUGLAS DEBATES

It so happened that the most spectacular and best-advertised of the various contests in 1858 took place in Illinois. Stephen A. Douglas was campaigning for re-election to the Senate. As the author of the Kansas-Nebraska bill he was perhaps the best-known Democrat in the country, while his dramatic break with the President over the Lecompton business had aroused the admiration of his opponents, if not of his friends. The Republicans thought seriously, for a time, of putting his name on their ticket. But instead they decided to take a candidate from their own party, and they picked Abraham Lincoln, of Springfield. Lincoln had been prominent in local politics for years, sometimes as representative in the state legislature, and for one term as Representative in Congress. While there he had achieved no particular distinction, except perhaps in his persistent effort to convict Polk of falsehood in describing the skirmish that preceded the Mexican War, and in his enthusiastic support of the Wilmot Proviso. When the Whig party was going to pieces, he became a member of the new Republican party.

Rival
Candidates

He was better known as a lawyer than as a politician. As a keen judge of men, and as a practical psychologist of the highest order, he loved nothing better than the battleground of the courts, where it was possible to discomfit his legal adversaries and to wind juries around his finger. During the evenings, after the daily sessions, he was always the most conspicuous figure in a group of story-telling attorneys. In Lincoln could be found those surprising contrasts that are not uncommon among professional humorists, a chronic melancholy combined with a keen sense of humor.

As a candidate for office he had assets of peculiar value. Born in the cabin of a poor Kentucky settler, he had given himself a remarkable education. His legal knowledge was deeper and more extensive than that of the ordinary western lawyer of his day; more important still was his extraordinary command of English, shown in the clarity and lucidity of his statements. He knew the language of the common people, and he could put his ideas so plainly that there was no possibility of mistake. From the beginning Americans have admired a self-made man, and Lincoln was eminently self-made. Moreover he had a reputation for honesty and dependability, even in politics, traits which were none too common.

After both candidates had started their campaigns, Lincoln challenged Douglas to a series of joint debates, which would give their hearers a chance to see the two men in action on the same platform; and, more important, give them an opportunity to answer each other directly. As finally arranged, there were seven of these debates, one in every electoral district

The Joint
Campaign

where the two had not already spoken. The first of the series was held at Ottawa, on August 21, not three weeks after the Kansas voters had decisively beaten the Lecompton constitution. All that morning crowds poured into town; it seemed as though half the state was there. As the two men appeared on the same platform for the first time, the contrast between them was striking. Douglas was compact, solidly built, well proportioned, and well groomed. He knew how to dress, and he took pride in his appearance. Lincoln was undeniably awkward, even to the point of ugliness. Instead of concealing the oddities of his physical being, Lincoln's clothes seemed to accentuate them. His frock coat was too short in the sleeves, while his trousers emphasized the length of his legs. "How long, Mr. Lincoln," asked a witty fellow attorney on a previous occasion, "ought a man's legs to be?" "Long enough to reach the ground," was the ready reply. Lincoln's were. And, by the same token, his neck was long enough to reach his head, as the ill-fitting collar suggested. But these oddities were overlooked by Lincoln's friends, by everyone in the West, for that matter. The West was too new, and still too direct and sensible in its attitude toward men, to give either credit or discredit on account of appearance or clothes. Even newspaper reporters from the supposedly cultivated East forgot his looks once he had plunged into his arguments.

Lincoln's
Attitude

The general trend of the seven debates was about the same. Each candidate tried to pick flaws in the previous statements of the other, and to force the other into damaging admissions. One of the examples of this sort of fencing is to be found in Douglas's persistent charge that Lincoln was in favor of complete equality between the white and the black races. Lincoln's reply was characteristic; that charge, he said, was "but a specious and fantastic arrangement of words, by which a man can prove a horse-chestnut to be a chestnut horse." Later, he answered the charge in all seriousness.

I will say, then, that I am not, nor ever have been, in favor of bringing about in any way the social and political equality of the white and black races; that I am not, nor ever have been, in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this, that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there, must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race. I say upon this occasion I do not perceive that because the white man is to have the superior position the negro should be denied everything. I do not understand that because I do not want a negro woman for a slave I must necessarily want her for a wife. My understanding is that I can just let her alone.

At Freeport, Lincoln asked Douglas a question, hoping to lead him into an embarrassing dilemma with reference to popular sovereignty. "Can the

Freeport
Doctrine

people of a United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits prior to the formation of a State Constitution?" Lincoln's aim was to force Douglas to explain his favorite doctrine of popular sovereignty in the light of the Dred Scott decision. If Douglas replied in the negative, Lincoln could advertise him as a man who repudiated his foundation principle. If he gave an affirmative answer, he would certainly draw the fire of the southern leaders in Congress, Jefferson Davis for example, who denied that power to the people in the territories.

Douglas tried to clear the trap with his "Freeport doctrine." Regardless of Supreme Court decisions on an abstract question, he said, the people in a territory had the lawful power to introduce slavery, or to exclude it, as they preferred. Slavery could not exist without certain essential police regulations, which could be provided only by the territorial legislature. By passing the necessary laws, that body could make the existence of slavery possible; by refusing to pass them, they could keep it out.

Douglas Win

The final vote in the state was unusually heavy. In the contests for the state legislature which would choose the senator, the Douglas men got 174,000 votes, the Lincoln men 190,000. Had the present system of popular election of senators prevailed then, Lincoln would have won. But in spite of the popular majority of the Republicans, they secured only thirty-five seats, while the Democrats got forty. Of fifteen contested seats, the Democrats, again with a minority, got eight seats, the Republicans seven. In the final vote Douglas got fifty-four, Lincoln forty-six. The explanation of the curious discrepancy between the popular vote and the party alignment in the legislature is to be found in the unblushing use of the system known as "gerrymandering." The Democrats had been in control of the legislature before the election, and they juggled the electoral districts in such a way that the Republican vote was smothered. This practice, it may be said, has not been confined to the Democratic party.

The Lincoln-Douglas contest had almost as much importance as a nationwide election. Newspapers all over the country carried full accounts of the speeches while many printed verbatim reports. In spite of the personalities, charges and counter charges, and political maneuvering which characterized the Illinois campaign from beginning to end, the two leading speakers reduced to concrete form a number of hitherto hazy notions about slavery, and so made public opinion more definite. Then, too, the debates served to introduce Lincoln to the country. His gift of putting his argument into terms comprehensible to the ordinary layman, and his faculty of clear expression, appealed to Republicans.

JOHN BROWN'S RAID

In the following year, 1859, while state elections were going on, the country was subjected to another one of those shocks over slavery which brought

Applied
Abolitionism

war measurably nearer. John Brown, one of the spectacular figures in the history of "bleeding" Kansas, carried through his sensational attack upon the government arsenal at Harpers Ferry. This venture was extraordinary, but the help given to John Brown by his financial and moral backers at the North was more extraordinary still. The conditions under which Kansas was settled had attracted a number of venturesome, restless spirits, John Brown among others, whose indulgence in crime could be justified under the comforting formula of service in a good cause. War and other high moral endeavor—the Free Soil movement for example—serve to transform homicide into an act of good citizenship. So it happened that men who committed murder in Kansas, acting in the name of righteousness, were not murderers but servants of the Lord—if they were Free Soilers. Only the killing done by the Missourians was felony. On May 24, 1856, John Brown had been the leader in a peculiarly brutal, cold-blooded murder of five pro-slavery men at Dutch Henry's Crossing, on Pottawatomie Creek. At the time the circumstances of this exploit were not known to those eastern philanthropists who financed the Kansas aid movement, so John Brown's reputation did not suffer. Not only Gerrit Smith who preached war upon the United States government, but Amos Lawrence who opposed it, both believed firmly in the righteousness of John Brown. As for John Brown himself, the disturbances in Kansas inspired him with a conviction that bloodshed could be used effectively in freeing the slaves. Hitherto abolitionists had rarely moved beyond mere agitation; John Brown was ready to kill to end slavery. To finance his new campaign he would draw on those eastern friends who had given liberally of time and money to the Free Soil cause in Kansas.

The beginnings and early stages of this new attack upon slavery are necessarily clouded in uncertainty. Whatever else he may have been, John Brown was no fool and only a fool would commit to paper such plans as were gradually taking shape in his mind. Documentary evidence regarding his first steps therefore is fragmentary in content and cryptic in meaning. He may have been plotting the attack for twenty years, but he had no precise plans before 1857.

Northern
Backers

During the winter of 1857-1858 Brown's plans gradually assumed definite shape, so that he could talk about them to others, and raise money for the work. Early in 1858 he wrote to Thomas Wentworth Higginson: "I now want to get for the *perfecting* of BY FAR the most *important* undertaking of my whole life" five hundred or a thousand dollars, in the next two months. Higginson was encouraging enough in spirit, though not in cash. "I am always ready to invest money in treason, but at present have none to invest. As for my friends, those who are able are not quite willing, and those who are willing are at present bankrupt." Here was strange doctrine for a minister of the gospel. In addition to Higginson the other participants in

these early stages of the plot were the Reverend Theodore Parker, Frank B. Sanborn, a teacher of Concord, Massachusetts, George L. Stearns, a businessman of Boston, Dr. Samuel Gridley Howe—husband of Julia Ward Howe—and Gerrit Smith, the abolitionist. Brown explained to some of them that he would lead a small group of dependable followers to a place in the Virginia mountains, from which he could make raids upon the surrounding country. As he freed the slaves they would increase the strength of his band, and then he could gradually widen the field of operations. He even had a plan of government all worked out, to use when he had freed enough territory and men. As Brown outlined his plan to his friends, he found them at first anything but encouraging. They saw the hopelessness of risking an attack upon the state of Virginia with a mere handful of followers. "If God be for us," replied Brown, "who can be against us?" He could not be dissuaded. "I have only had this one opportunity in a life of nearly sixty years," he wrote, "and could I be continued ten times as long again, I might not again have another equal opportunity. God has honored but comparatively a very small part of mankind with any possible chance of such mighty and soul-satisfying rewards."

Brown's friends contributed \$4,000 to his cause, and in giving the money they knew that it was to be used for an armed enterprise in Virginia. They also had fairly definite information in advance as to the policy he planned to follow. In July, 1859, Brown rented two houses on a farm in Maryland, four miles from Harpers Ferry, Virginia. His arms were collected there, and his preparations were completed. On Sunday night, October 16, with a force of eighteen men, he made his attack. By way of warning at the start, he told his followers not to take life unnecessarily, but not to hesitate in defending themselves. His men then cut the telegraph wires, seized the bridge over the Potomac, and captured the federal arsenal at Harpers Ferry. By midnight Brown was in full possession of the town, government property and all. Then he sent out a party to begin freeing the slaves and to seize white citizens for hostages.

Attack on
Harpers
Ferry

As news of the raid spread from town to town, armed men poured into Harpers Ferry. By Monday noon Brown and what was left of his band were besieged in one of the government buildings. On Monday evening Colonel Robert E. Lee arrived with a detachment of Marines. On the following morning Brown was captured. Ten of his band had been killed, five taken prisoners, while four got away. Brown was indicted and placed on trial for conspiracy, murder, and treason against the state of Virginia. On October 31 the jury brought in a verdict of guilty. He was sentenced to be hanged in December. On the day of his execution, mass meetings and memorial services were held in the North, funeral bells tolled, and eulogies were delivered almost without number. His body was sent to his farm at North Elba, New York, for burial. The episode had stirred the country,

and outside the slave states, Brown was hailed as a martyr to the cause of freedom. His financial backers, with one or two exceptions, did not participate in these exercises. On the receipt of news of his capture Sanborn and Howe prudently and unostentatiously retired to Canada. Gerrit Smith suffered a severe nervous collapse, which put him in the insane asylum at Utica for several weeks. Before his collapse he took the precaution of destroying all evidence in his possession which had any bearing on the raid.

Madman or
Hero?

The question of John Brown's sanity is the only aspect of this episode which is hard to settle. His project was criminal, and from any practical point of view, silly and absurd. It may be heroic for nineteen men to attack the federal government, but whatever else it may be called, it is not wise. Hardly a better place for a trap could have been selected than Harpers Ferry. But Brown was not relying upon human strength. He was acting as the agent of God.

His divine commission to free the slaves was the dominating force in his life. Everything was subordinated to this one great end. Brown's course was not normal, and no thoroughly balanced man could behave as he did. In his family there had been several cases of insanity, and his son, John Brown, Jr., was insane for a while during the violent times in Kansas. But John Brown was widely acclaimed as a hero and he became a subject of veneration. It is a curious commentary on the period that John Brown could be described by the abolitionist, Gerrit Smith, as the most Christ-like man he ever knew.

Senate
Investigation

On December 14, 1859, the United States Senate appointed a select committee to investigate the affair at Harpers Ferry, and to determine if possible whether the attack had been made under the auspices of any organized group. If such an organization should be discovered, the committee was instructed to look into its character and importance and to determine "whether any citizens of the United States not present were implicated therein, or accessory thereto, by contributions of money, arms, munitions, or otherwise." This Mason committee, as it was called, began work on January 4, 1860, and completed its investigations the following June 14, 1860.

It is plain from the record that the Mason committee had no genuine desire to investigate the work of those men who really knew something about Brown's conspiracy. It did not wish to probe too deeply, because of fear of the effect on the country if the John Brown affair were given any further publicity. Apart from the practically fruitless investigation by this committee, the federal government made no attempt whatever to investigate the Harpers Ferry affair. Inconceivable as it may seem, no federal grand jury proceedings were instituted, although enough documentary evidence was found on Brown to warrant them, and no one but Sanborn was ever subjected to the slightest inconvenience by federal authorities. This degree of consideration for the conspirators was probably due, as Higginson sug-

gested, to the fear of raising any more stir over Brown, and to a realization by the authorities of the danger of making any more martyrs to the anti-slavery cause. The times were certainly abnormal when clergymen, businessmen, and professional reformers in the North could participate with complete impunity in such a piece of lawlessness as John Brown's conspiracy.

Republican Victory and Southern Secession

 CAMPAIGN AND ELECTION OF 1860

 Democratic
Schism

JOHN BROWN's raid and the debate which it provoked in Congress came as an unfortunate prelude to the Presidential campaign of 1860. At a time when the Democratic party had already begun to divide on the slavery issue, this new wave of bitterness threatened to wreck the organization beyond hope. Alarmed by Douglas's "Freeport doctrine," and fearing more anti-slavery raids, the South began to insist upon positive Congressional action in behalf of slavery. In the Senate, Jefferson Davis, who had become the spokesman for his section, presented the southern demands, essentially the demands of Calhoun in 1849 and 1850. The election of a Republican President, he said, would mean the end of the Union. As for slavery, Congress must uphold it. If a territorial legislature failed to provide adequate protection for the system, Congress must do so. Furthermore, people in a territory could not, so Davis said, pass upon the question of slavery until they drew up their state constitution. In the resolutions setting forth these views Davis showed that the South had repudiated popular sovereignty.

On April 23, 1860, the Democratic national convention met at Charleston, South Carolina. From the beginning there was bitter antagonism between southern and western delegates. Even though the South had abandoned popular sovereignty and the administration had proscribed Douglas, the Northwest had done neither. He had become a hero there and his supporters were determined to have him on his own platform. Southern members, on the other hand, considered Douglas as bad as a Republican. The committee on resolutions had to choose between Douglas's popular sovereignty and Davis's Congressional protection for slavery, and they chose the latter. But Douglas men insisted upon presenting a minority report. The southern platform announced that no territorial legislature had the power to abolish slavery, or to deny the right of property in slaves; it also declared that Congress was bound to furnish adequate protection to slave interests in the territories, if it could be secured in no other way. The minority report pledged the party to uphold the Dred Scott decision.

After a heated debate, the convention adopted the minority, or Douglas platform. Davis's followers then withdrew from the convention. Under these conditions nominations were impossible, so after ten days the convention adjourned, to meet at Baltimore in June. The bolting delegations arranged

to meet at Richmond. On May 7 a group of former Whigs and Know-Nothings, older politicians who looked with horror upon the approach of war, met at Baltimore; calling themselves "the Constitutional Union Party," they adopted for their platform the Constitution, the Union of the states, and the enforcement of the laws.

One week later the Republicans met in Chicago. The wrecking of the Democratic party at Charleston was an almost certain guarantee of Republican victory, and on that account the excitement was intense. Spectators by the thousand crowded the city. From the first day it was evident that the main issue was a contest between Seward and Lincoln for the nomination. Seward wanted the nomination, and because of his record as a political strategist and manipulator he had the support of the machine politicians. But Seward was known as a radical, and not all the Republican party was out-and-out abolitionist.

Republican
Issues and
Candidates

Before the nominations were made the platform had to be drawn. This document called for the continuance of the Union, and for the upholding of the rights of the states. It denounced the John Brown raid "as among the gravest of crimes." It repudiated the radical southern doctrine that Congress must protect slavery in the territories, and reasserted its own cardinal belief that there must be no further extension of slavery. Then the platform took up current economic issues. For the manufacturers it called for the restoration of high protective tariff rates. For the West the Republicans promised the admission of Kansas, a railroad to the Pacific, and a homestead law. The first two days had been occupied in organization and platform making, and nominations were left for the following morning. That night Seward's nomination seemed certain, but his opponents would not give up hope. On the contrary, they spent the night in bargaining for delegates. Two states in particular had to be won: Indiana and Pennsylvania. David Davis, later a justice of the Supreme Court, then acting as Lincoln's manager, promised a Cabinet position to Caleb Smith, of the Indiana delegation, in the event of Lincoln's election. Indiana voted for Lincoln. The Pennsylvania delegates were bound to vote for Simon Cameron of Pennsylvania on the first ballot. Cameron was the Republican leader of his state. He had no chance of the nomination himself, and the managers were all angling for his delegation after the first ballot. Again David Davis came forward with another offer of a Cabinet job, this time for Cameron himself. After complimenting Cameron, practically the whole Pennsylvania delegation swung to Lincoln on the second ballot. According to Rhodes, Lincoln had no knowledge of these promises, and he had given specific orders that he be left unhampered. It is, however, an interesting coincidence that Cameron got the War Department and Smith the Interior Department. Lincoln received the nomination after three ballots.

After the Republicans had completed their work, the Democrats, or part of them, came together at Baltimore. Douglas received the nomination of

the northern wing while Breckenridge of Kentucky was selected by the secessionist group. Every ballot cast for him was a vote for southern independence.

Election of
Lincoln

In the election, the popular vote stood as follows: Lincoln, 1,866,452; Douglas, 1,376,781; Breckenridge, 849,781; Bell, 588,879. The electoral vote gave Lincoln 180, Breckenridge 72, Douglas 12, Bell 39. These figures bring out some interesting facts. The total popular vote of the three candidates opposed to secession was 3,832,288, almost three million more than the secessionist candidate received, and over 80 per cent of the total. Four states which ultimately seceded cast anti-Breckenridge votes ranging from about 2,500 in Georgia to over 18,500 in Virginia. Also, in all the states which joined the Confederacy, with the exception of South Carolina, the combined anti-Breckenridge vote was heavier than the secessionist vote. In South Carolina there was no popular vote in the Presidential election. In the country at large the sentiment was overwhelmingly against secession, and somewhat against it in the slave states as a whole. It should be remembered that Lincoln's popular vote was only about 40 per cent of the total, so that he was elected as a minority President. Again, Breckenridge and Douglas together, the two Democratic candidates, had nearly 100,000 more votes than Lincoln. Finally, in Congress, if the southern states had not seceded, there would have been an anti-administration majority of eight in the Senate, and twenty-one in the House.

And yet, an analysis of the returns will show that Lincoln's victory was not due to the schism in the Democratic party, but to the strength of the Republican ticket in the North and West. Thanks to the peculiar system of electing Presidents, Lincoln carried enough states, with a popular vote in each case greater than that of his combined opponents, to give him the election. Of his total of 180 electoral votes, he owed only 15 to the schism. Although it was sectional, in the sense that it had no support in the South, the Republican party had already become dominant. Lincoln's victory was not due to abolitionist influence because neither the candidate nor the Republican party had attacked slavery as the abolitionists demanded. In fact some of the abolitionists expressed considerable contempt for the Republican nominee. John B. Edwards of Oswego revealed the attitude of many anti-slavery workers in the following pithy comment: "Some of the Republicans have the impudence to ask me if I will not go for Lincoln. I tell them I should look beautiful voting for a President who would be for sending the Marshall after me for helping Fugitive Slaves to Canada."

What really did count were the Republican organizations in the states. In New York Thurlow Weed and William H. Seward carried their whole Whig machine into the Republican party, so they could deliver that state. Oliver P. Morton had brought the old Democratic organization of Indiana into the new party. Simon Cameron was the first of a long line of successful Republican bosses in Pennsylvania. In Missouri Carl Schurz was uniting

the German vote with the former adherents of Thomas Hart Benton. These organizations were manned by men who had established connections with the voters and who knew how to get out the vote.

For the first time in American history a sectional party, representing the North and West, had been elected to control the national government. This triumph was interpreted in the South as a blow at southern prestige. The leaders of the "slave power" had insisted not only upon the control of their own local rights, and upon their rights in the western territories; they had also taken for granted their hitherto dominant position in the national government at Washington. The Republican victory threatened to relegate these southern leaders to a position of second-rate importance.

Consequences
of the
Election

Southerners believed that the election of a President by a party drawing its membership entirely from the North and West would materially change their position in the Union. Before 1860 the slaveholding states had dominated the national government; they held the office of President for more than fifty of the total of seventy-two years of federal history and for the greater part of the time controlled either one or both houses of Congress. Some northern Presidents, Pierce and Buchanan for example, were so completely under southern control that they might well be listed as actual Southerners. Throughout its whole life up to 1860, the Supreme Court always had a majority of southern justices. Federal appointments were in the hands of the President, so Southerners received at least their share of positions in the civil service. Now the South faced not only loss of prestige, but loss of economic position as well. Again, the exclusion of Southerners from official circles would close the social careers of numerous southern women. The House and Senate would be the only places remaining in Washington where Southerners could still meet with northern associates on anything like equal terms.

Ever since the federal government had been founded Southerners had possessed relatively greater influence in the election of Representatives and Presidents than their contemporaries in the North. For this privileged position they were indebted to two provisions of the Constitution, one giving each state two Senators, regardless of population, and the other providing for the "federal ratio" by which representation in Congress depended on population, with three-fifths of the slaves counting as part of the population. Since the slaves had no voice in political life, the arrangement for counting three-fifths of their number simply added so much to the political power of the white people. In other words, the southern whites had relatively more representatives in Congress than the northern whites. In 1860 the total white population of the fifteen slave states was about eight million, and these states sent thirty Senators to Washington. New York state alone had a population of four million, but it had only two Senators. New York, Pennsylvania, and Ohio, with a population greater than that of all the slave states combined, had only six Senators. The "federal ratio" gave the southern states ninety

representatives and 120 electoral votes; New York had thirty-five electoral votes. Now the sheer weight in numbers of the North and West would cancel this advantage.

SECESSION

As long as the national political parties were made up of voters from both sections, southern leaders in Washington, particularly in the Senate, possessed authority out of all proportion to their numbers. As long as slavery lasted these advantages would be retained. But population was increasing more rapidly in the North than in the South, so in course of time even this asset would be weakened. The Republican party seemed destined to enjoy a long period of supremacy in national politics. The South therefore saw itself not only as a minority section but as a powerless section, submerged by the Republicans of the North and West. This prospect seemed black enough to justify the losers in forming a new central government of their own. As we have already seen, dissatisfied minorities, both North and South, had sometimes talked about nullification and secession. The South now was prepared to put the doctrine of states' rights into practice.

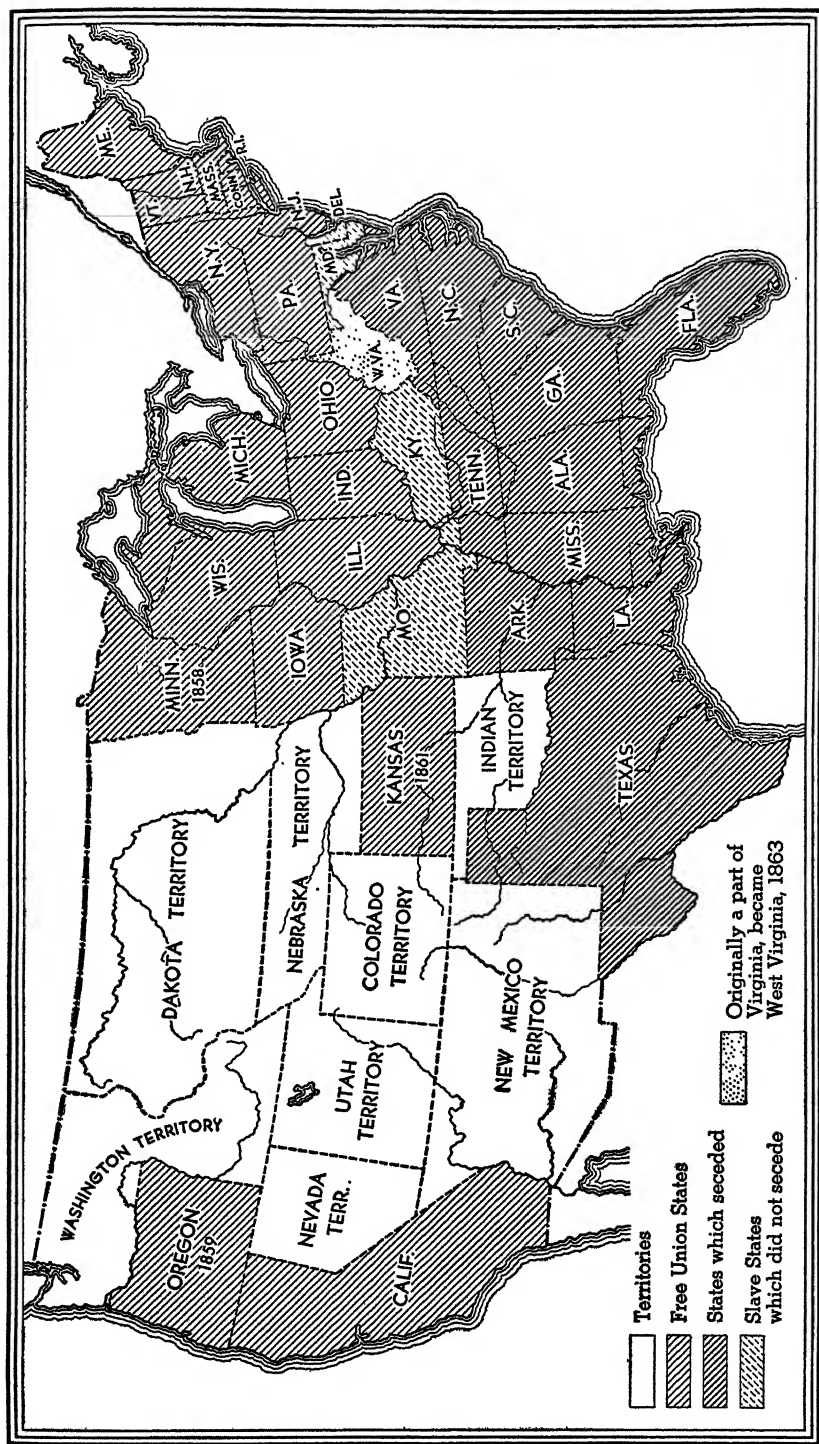
South Carolinians had followed the course of politics with lively concern. The leaders in the state had often declared that the election of Lincoln would be an intolerable grievance, and would lead to the disruption of the Union. In November, 1860, the legislature was in session to choose Presidential electors, and also to take whatever action the circumstances seemed to demand. In South Carolina a majority of voters favored secession. On receipt of the news of Lincoln's election, the legislature passed a bill providing for a constitutional convention, to meet on December 17.

When the members of this body came together, it was a foregone conclusion that the state would secede. On December 20, the convention adopted, unanimously, an ordinance of secession. "We, the people of the State of South Carolina, in convention assembled, do declare and ordain . . . that the Union now subsisting between South Carolina and other States under the name of 'The United States of America' is hereby dissolved." Four days later the convention adopted a Declaration of Causes, modeled upon the Declaration of Independence. This asserted that the federal Constitution had been adopted as an experiment, that it had worked constantly to the detriment of South Carolina, and that the character of the government had gradually changed from a federal organization to a consolidated democracy. It announced that the election of a President by a purely sectional party had rendered it unsafe for South Carolina to remain longer in the Union.

As a result of these proceedings South Carolina resumed her status as an independent, sovereign state, organized an independent government, and adopted a state flag. Before the end of the winter conventions in the six other cotton states had taken similar action: Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas. In Georgia, which had cast a majority against Breckenridge there was a determined effort made to prevent seces-

The Losers
Withdraw

Procedure of
Secession



MAP 23. THE UNITED STATES IN 1861 AND SECESSION.

sion. The leader in this movement was Alexander H. Stephens, subsequently Vice-President of the Confederacy. He argued that as yet the North had committed no overt act of offense, that it was still possible to work for a redress of southern grievances within the Union, and that secession, while legally justifiable, would fail to give the South what it wanted. But the excitement aroused by the action of South Carolina had spread quickly through the South, and sentiment was strongly in favor of joining her in her experiment. The other slave states delayed action until after Lincoln's inauguration. When he issued his first call for troops, on April 15, North Carolina, Arkansas, and Tennessee joined the Confederacy. In Virginia the unionist element had the upper hand until after the Fort Sumter crisis, and then the radicals carried the state out. On May 23, 1861, the issue of secession was submitted to popular vote, theoretically, but the polling places were all guarded by Confederate troops, and in counties where the vote was likely to be close it appears that Union men were intimidated into not voting. After Virginia seceded, Richmond became the Confederate capital.

The Con-
federate States
of America

On February 4, 1861, delegates from the seven cotton states met at Montgomery, Alabama, to organize a government for the new Confederacy. Anxious to complete their work before the inauguration of Lincoln, they published their provisional constitution on February 8. On March 11, they published the permanent constitution. It is interesting that while the preamble makes plain the "sovereign and independent character" of the states, nowhere in the document is there a reference to the rights of nullification or secession. Consistency perhaps might have required some sort of constitutional indorsement of those methods of procedure, but common sense stood in the way. In most respects the Confederate Constitution resembled the federal, with more guarantees for the rights of the states. Of course the document provided for the legalization of slavery; although it prohibited the African slave trade, it also prohibited Congress from passing any laws impairing the right of property in slaves, and insisted that both Congress and the territorial governments must protect slavery in any territories acquired.

Shortly after the provisional government had been proclaimed, the Montgomery convention chose Jefferson Davis as President and Alexander H. Stephens as Vice-President, of the Confederate States. Inaugurated on February 18, 1861, Davis had his government in working order before Lincoln entered office. There were able Southerners at the time, and later, who insisted that Davis would have made a better general than President. Opposition to Davis was particularly strong in South Carolina. Robert Toombs, Howell Cobb, and Stephens, the Georgia triumvirate, were all presidential possibilities, but Davis had a wider reputation because of his work in the federal Senate.

The South based its right to secede upon various grounds, constitutional, legal, strategic, and economic, but the arguments were mostly products of

rationalization, as revolutionary arguments generally are. Southerners felt that they would be better off out of the Union than in, and they easily worked up convincing theories to justify their stand. Believing that a Republican administration would be a constant menace to them, they left the Union to avoid danger. To their minds Republicanism meant more runaway slaves, more John Brown raids, more aggressiveness on the part of the abolitionists.

Probably the most effective cause of secession was the deep emotional feeling of the southern leaders. Sometimes this spirit found expression in terms of contempt for the North, sometimes in a curious blending of southern patriotism with intense religious zeal. Secession was a product of fear, wrath, and hysteria; fear of oppression, wrath over abolitionism, and hysteria due to too much heated controversy. In discussing Lincoln's election the editor of the Richmond *Examiner* explained that it really made little difference, in purely official matters, whether "we are to be governed by a gentleman or ruled by a baboon. . . . But with Lincoln comes something worse than slang, rowdyism, brutality, and all moral filth; something worse than all the rag and tag of western grog-shops and Yankee factories. . . . With all these comes the daring and reckless leader of abolitionists."

The Secession convention of the state of Mississippi was opened with prayer, of which the following excerpt is a good sample: "Thou, Oh, God! hast seen the malign and mighty agencies which many of the sister States of this great national family have for years past employed for our annoyance, reproach, and overthrow, as equals in a Confederate Union; and how they have pursued the process of depriving us of our just rights, and destroying in our midst the institution which Thy Providence has solemnly bound us to uphold, defend and protect. . . ."

Governor Joseph E. Brown of Georgia found cause for secession in the "outrageous usurpations of power and aggressions upon our rights committed by the Federal Government, and the absolute degradation to which the Southern people were exposed if they submitted to the rule of Mr. Lincoln." In a speech in the Georgia legislature, Thomas R. R. Cobb explained his feelings on the night after the election: "I called my wife and little ones together round my family altar, and together we prayed to God to stay the wrath of our oppressors, and preserve the Union of our fathers. . . . And when the telegraph announced to me that the voice of the North proclaimed at the ballot-box that I should be a slave, I heard in the same sound the voice of my God speaking through his Providence, and saying to his child, 'Be free. Be free.'" In this state of mind there was no room for arguments based on fact.

Advocates of secession also believed that Lincoln's election threatened the existence of their property rights in slaves, valued at three to four billion dollars, and they looked upon secession as the only possible safeguard. In this connection they relied upon cotton to bring them friends, and even

King Cotton

actual assistance in case they were attacked. "Cotton is king" was the prevailing sentiment. Perhaps this state of mind, fairly common throughout the South, was expressed most bluntly in the words of Senator Hammond of South Carolina.

I firmly believe that the slave-holding South is now the controlling power of the world—that no other power would face us in hostility. Cotton, rice, tobacco, and naval stores command the world; and we have sense to know it, and are sufficiently Teutonic to carry it out successfully. The North without us would be a motherless calf, bleating about, and die of mange and starvation.

The statement quoted above reveals the sort of fervor common to all revolutionary movements, beneficial in the sense that it inspires people to heroic action, but dangerous in that it blinds them to essential facts. There was a general tendency in the South to overlook the weakness of cotton. For one thing, cotton was worthless unless it could reach a market; when war began, the Union forces were able to interrupt the sale of cotton to American factories, and the Union blockade almost ended the sale of cotton to England and France. Southern leaders counted upon British and French action to keep the cotton trade open, but this hope failed.

Economics
and Foreign
Policy

Had the advocates of secession been somewhat more familiar with information available to them in print, they might have been less confident. The *London Economist* was explaining at length how the production of raw cotton and the manufacture of cotton cloth had temporarily exceeded the demand. Ordinarily British manufacturers kept a two-year supply of raw cotton in their storage rooms, and they planned to have enough cotton cloth in various centers to last for two years. But in 1861 the accumulated stocks of both raw cotton and cotton goods amounted to a three-year supply. Instead of being short of cotton, therefore, the British had an abundance and they welcomed the interruption of their supply from the South. They could sell their goods at high prices. The Southerners also overlooked another danger. Because of the high degree of specialization upon a single crop, they were dependent upon the Northwest for food. Moreover, because the Confederacy was primarily rural, it had to import practically all its manufactured goods from the North or from abroad. War, with the possibility of a blockade, might cut off both sets of indispensable supplies. Of course they expected foreign intervention in their behalf in case of war, a hope that proved to be without foundation. It so happened that the period of the war coincided with a period of crop failures in England and in Europe. For that reason wheat proved to be a more powerful factor in determining international relations than cotton, and during the whole war the Northwest was producing bumper crops of wheat.

There was nothing new in the underlying philosophy of secession; on the contrary it was a doctrine long honored, both in theory and in practice. New England had been settled largely by the same kind of people who rebelled

against Charles I, and the habit of defying any authority not their own was firmly fixed in that section. As the Southerners were fond of arguing, the American Revolution was secession from the British Empire, and in 1775 and 1776 there were loyal Americans by the thousand who denounced that particular rebellion. During the Revolution there were curious and interesting manifestations of the same principle, that is, the repudiation of unpopular authority. Vermont seceded from New York, Berkshire County almost seceded from Massachusetts, and later, Kentucky and Tennessee were threatening to secede from Virginia and North Carolina. During the constitutional period the doctrine of states' rights was widely and generally popular, and if the theory of an indissoluble union had been proclaimed in 1787 and 1788 it seems reasonably certain that the Constitution could not have been ratified. After 1789, the philosophy of states' rights and secession was not given up. The letters of the New England Federalists of the Jeffersonian period are full of the doctrine. Preceding chapters have shown how the theory gradually disappeared, and again how it was brought out on occasion, to give point to southern demands. Historically the South had ample justification, and her leaders were thoroughly familiar with the precedents which fitted her needs.

Historical
Precedents

In view of southern theories and southern arguments, Jefferson Davis was an excellent selection for the Confederate Presidency. There was not a man in the South who could argue more convincingly than he in behalf of independence. He had an extensive knowledge of the essential historical and constitutional precedents, combined with an intense emotional fervor. In his letters and in his messages to Congress he endowed the Confederate cause with the moral character essential to the conduct of war. In addition to all this, Davis was truly representative of the South. By birth he was a Kentucky farmer, of the same stock and of practically the same neighborhood which also produced Abraham Lincoln. But he had grown up in the lower South. As a Mississippi planter he understood the needs and difficulties of his class. He had served in both houses of Congress and he had been Secretary of War in the Cabinet of President Pierce. He was a graduate of West Point and a veteran of the Mexican War, so that he was qualified to lead his country in case the North should attempt forcibly to deny the southern claims to independence.

Jefferson
Davis

In his inaugural address on February 18, Davis voiced the feelings of the Confederacy. "Our present political position," he declared, "has been achieved in a manner unprecedented in the history of nations. It illustrated the American idea that governments rest on the consent of the governed, and that it is the right of the people to alter or abolish them at will whenever they become destructive of the ends for which they were established." The Union, he continued, had been "perverted from the purposes for which it was ordained, and ceased to answer the ends for which it was established. . . ." In withdrawing from it, the southern people had "merely

asserted the right which the Declaration of Independence of July 4, 1776, defined to be 'inalienable.' Of the time and occasion of its exercise they the States as sovereigns were the final judges, each for itself. The impartial and enlightened verdict of mankind will vindicate the rectitude of our conduct; and He who knows the hearts of men will judge of the sincerity with which we have labored to preserve the Government of our fathers in its spirit." Only "by abuse of language," he declared, could the action of these states be characterized as rebellion.

War with the North was possible, he thought, although the South did not want it, and would not needlessly engage in it. "Doubly justified by the absence of wrong on our part, and by wanton aggression of the part of others, there can be no cause to doubt that the courage and patriotism of the people of the Confederate States will be found equal to any measure of defense which their honor and security may require." In view of the danger of war, he urged the Confederate Congress to make adequate provision for "a well-instructed and disciplined army," and for a navy. He concluded with an invocation to God for guidance in his and his associates' efforts to achieve success, peace, and prosperity.

Factions in the Confederacy

In making up his Cabinet Davis recognized the two leading groups in the Confederacy, the southern nationalists and the advocates of states' rights. The State and War Departments went respectively to Robert Toombs of Georgia and L. P. Walker of Alabama, prominent southern leaders of the states' rights school. But Christopher C. Memminger, a Charleston lawyer, who became Secretary of the Treasury, Stephen P. Mallory of Florida, Secretary of the Navy, Postmaster General John H. Reagan, and Attorney General Judah P. Benjamin were all southern nationalists. They were not opposed in principle to the subordination of the states; they merely found fault with the working of the principle under the federal Constitution. Davis himself, in spite of almost endless lip and pen service to the doctrine of states' rights, became, by force of circumstances, a nationalist. The administration of the new government was therefore divided on an issue over which feeling was exceedingly bitter. This same line of cleavage, between the southern nationalists and the advocates of states' rights, ran through the whole Confederacy, eventually dividing both government and people into two irreconcilable factions, and so contributing heavily to the final collapse.

Seizure of Union Property

During these critical months seceding Southerners took over federal property in their states. Customs-houses, forts, even the mint at New Orleans, fell into hostile hands. The "secessionists" occupied nineteen sea-coast fortifications and seven arsenals; here they found hundreds of heavy guns and over two hundred thousand muskets. The value of this property amounted to several million dollars, exclusive of the half million dollars in coin which the seceders of Louisiana took at New Orleans. The most flagrant case of seizure of national property occurred in Texas, where General Twiggs, still

wearing his uniform as an officer in the United States Army, deliberately arranged for the surrender of nineteen army posts to Texan authorities.

President Buchanan made no attempt to interfere with this seizure of federal property. Anxious above everything else to preserve peace, he would avoid giving the South any grounds for grievance against him. He did not believe in the alleged right of secession, but as an old-time Jeffersonian Democrat he could find no constitutional justification for coercing the South. There were two precedents bearing on the problem: Jackson's proclamation to South Carolina in 1833, and Taylor's general threat against possible seceders in 1850. But neither Jackson nor Taylor had been faced by a new government, formed by seven states. Buchanan's problem was more difficult than those of his predecessors, and he at least could find no excuse for decisive action. In trying to deal with Buchanan's policy, the student may explain very simply what it was—that is, nothing. It was not "appeasement," in the Chamberlain sense, because Buchanan himself made no concessions to the South; it was not bargaining, because he asked nothing of the Southerners, except that they resume their normal status in the Union; they asked nothing of him except what he freely gave, freedom from interference. He would have been glad to see the Union preserved, without the use of force, but he would let the Union crumble rather than use force.

While this display of southern aggression and executive inaction continued, Lincoln remained only a spectator, but nevertheless an observant spectator. He could take no action because he was still a private citizen. The Constitution gives the President-elect no power during this interval, established custom bars him from any participation in official business, and the amenities of public life compel him to refrain from anything suggestive of dictation to the men still in office. Fortunately with only this single exception, these intervals between election and inauguration have been free from serious crises, but the single exception threatened ruin to the United States. In a private letter Lincoln wrote: "He [Buchanan] is giving away the case, and I have nothing to say, and can't stop him." But Lincoln could at least formulate his own plans for subsequent official use. Before South Carolina left the Union, he declared that all the states should "be left in as complete control of their affairs respectively, and at as perfect liberty to choose, and employ, their own means of protecting property . . . as they have ever been under any administration." When secession was still only a threat, he held "that no State can in any way lawfully get out of the Union without the consent of the others; and that it is the duty of the President and other government functionaries to run the machine as it is." The day after South Carolina seceded, he asked a friend to tell General Scott, then in command of the United States Army, "confidentially, I shall be obliged to him to be as well prepared as he can to either hold or retake the forts, as the case may require, at and after the inauguration." This much indicated that executive inaction would end on March 4, 1861.

Lincoln's
Position

Failure of
Compromise

While Buchanan was drifting with the tide, Congress was busy with the forlorn hope of compromise. The Crittenden Resolutions provided that the Missouri Compromise should be restored and extended to the Pacific. This proposal was weak because the line would have crossed the State of California, without the consent of the state. Once in effect, it should be made to apply to all new territory that might be acquired in the future. When these proposals came before Congress, the Republican members consulted President-elect Lincoln, in order that their action might be in harmony with the policy of the incoming administration. He advised strongly against the acceptance of the compromise plan, chiefly because it was inconsistent with the primary Republican principle of no further extension of slavery in the territories. "Entertain no proposition for a compromise in regard to the extension of slavery," he wrote. "The instant you do, they have us under again; all our labor is lost, and sooner or later must be done over." And again, on the next day, to another friend in Congress: "Prevent, as far as possible, any of our friends from demoralizing themselves and our cause by entertaining propositions for compromise of any sort on 'slavery extension.' There is no possible compromise upon it but which puts us under again . . ." His followers yielded to his wishes, and the Republicans voted against the Crittenden Resolutions.

After Crittenden's plan had been rejected, the legislature of Virginia invited the other states to send commissioners to a peace convention, to meet February 4, 1861, in Washington. Ex-President Tyler headed the Virginia delegates. Twenty-one states accepted the invitation. The sessions lasted just a month, to March 4. The delegates worked out a plan of compromise, less satisfactory to the South than the Crittenden Resolutions, and also less satisfactory to the Republicans. When submitted to Congress, it received only seven favorable votes.

Inauguration
of Lincoln

On January 10, 1861, Lincoln finished his work at Springfield and prepared to leave for Washington. There was a touch of pathos in his farewell to his partner, Herndon: "If I live, I am coming back some time, and then we'll go right on practicing law as if nothing had happened." On his way to Washington he made numerous short speeches, in which he alluded to his own plans for the immediate future. At Indianapolis he intimated that he would endeavor to retake the forts and other property belonging to the Union, to collect tariff duties, and even to withhold the United States mail from some sections. Up to this point, both in private letters and in public speeches Lincoln had seemed sure of himself, with his mind clear and with his policy carefully thought out. Then, before he had gone far he seemed to waver. At Columbus he made the startling declaration that "there is nothing going wrong," and "there is nothing that really hurts anybody." Again at Pittsburgh he assured his hearers that "there is really no crisis, except an artificial one." These, and similar statements, made people wonder whether after all the new President was lacking in insight, and possibly in moral

courage, as his predecessor had been. Subsequent events demonstrated both his insight and his courage, so these temporary denials of reality proved no want of these qualities.

In his inaugural address Lincoln spoke to allay apprehension regarding his policy toward the South. Quoting from one of his own earlier speeches, he said: "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." Then he quoted from the Republican platform, which disclaimed any intention of disturbing the right of each state to control its own affairs. Continuing, he said:

I now reiterate these sentiments; and, in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in any wise endangered by the now incoming administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States when lawfully demanded, for whatever cause—as cheerfully to one section as to another.

He insisted upon the preservation of the Union, and he denied the right of secession. Acts of violence within any state, against the authority of the United States, were "insurrectionary or revolutionary, according to circumstances." While giving warning that federal laws were to be enforced, he said that there would be no violence or bloodshed, unless it were forced upon the national authorities. The power granted to him would be used "to hold, occupy, and possess the property and places belonging to the government, and to collect the duties and imposts." "In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you."

The Cabinet of the new President included men of various shades of opinion. Seward, the real leader of the Republican party down to 1860, was made Secretary of State, while Chase of Ohio, another Presidential possibility in 1860, received the Treasury. Simon Cameron of Pennsylvania, better known as an adept in party politics than as a statesman, became Secretary of War. Gideon Welles, the Secretary of the Navy, had led the Connecticut delegation in the same convention. Edward Bates of Missouri, Attorney General, and Montgomery Blair of Maryland, the Postmaster-General, came from slave states of doubtful loyalty to the administration.

Lincoln spent the first month of his administration in trying to survey his problems, and in taking care of the applicants for federal jobs. The mere fact that the Union had been broken in two and that there was more than an even chance of war did not deter the politicians from demanding their rewards. Aside from the offices, the most troublesome question was Fort Sumter, and as the policy of the Confederate government became more evident, the problem became more serious.

Fort Sumter

In the harbor of Charleston, South Carolina, there were three federal forts: Pinckney, Moultrie and Sumter. Major Anderson was in command at Fort Moultrie, but on December 26, under permissive instructions from President Buchanan, he had transferred his small force to Sumter, which could be more easily defended. The South Carolina authorities ordered Anderson to return to Moultrie, and he refused. Thereupon South Carolina took possession of Forts Moultrie and Pinckney. On the same day, December 27, 1860, under orders of the state convention, the collector of the port and all the customs-house officials severed their connection with the federal government. The collector transacted business in the name of the state and deposited funds collected in the state treasury. He even raised the South Carolina flag over the customs-house. On December 30, under orders of the governor, state troops seized the United States arsenal, with large quantities of arms and ammunition.

Because of its location in Charleston harbor, and because of the frankly announced southern determination to control it, Fort Sumter became the immediate center of interest. The new President had hardly been installed in office when he received word from Major Robert Anderson that his provisions were nearly exhausted. Lincoln immediately instructed his Secretary of War, Cameron, to notify General Scott "to exercise all possible vigilance for the maintenance of all the places within the military department of the United States, and to promptly call upon all the departments of the government for the means necessary to that end." On March 9, Lincoln asked Scott for a written statement as to how long Major Anderson could hold out, without supplies and reinforcement; whether or not Scott could get supplies to him within that time; and if not, what additional means would enable him to save Sumter. Scott advised the surrender of the fort. A few days later Lincoln consulted his Cabinet, and five of the seven members, including the Secretaries of War and the Navy, agreed with Scott.

Seward, the Secretary of State, advocated peaceful surrender because he believed war could be avoided. Having made up his mind on this point, he acted as though he were the head of the administration. In fact he even informed the newspapers that Sumter would be abandoned, and more surprising still, sent a similar message indirectly to Jefferson Davis, President of the Confederacy. At this time Seward's action was not known to Lincoln.

On March 29, Lincoln ordered the War and Navy Departments to organize an expedition, to be ready for action, if necessary, on April 6. On that same day, he sent a special messenger to Charleston, with the following announcement to Governor Pickens: "I am directed by the President of the United States to notify you to expect an attempt will be made to supply Fort Sumter with provisions only; and that if such an attempt be not resisted, no effort to throw in men, arms, or ammunition will be made without further notice, or in case of an attack upon the fort." This warning was delivered on April 8, and immediately telegraphed to Montgomery.

On receipt of this announcement, Jefferson Davis hurriedly called a Cabinet meeting, and laid the whole Sumter problem before his advisers. Robert Toombs, Secretary of State, told Davis that "The firing upon that fort will inaugurate a civil war greater than any the world has yet seen." He was opposed to any attack upon the fort by the Confederates. "Mr. President, at this time it is suicide, murder, and will lose us every friend at the North. You will wantonly strike a hornet's nest which extends from mountain to ocean, and legions now quiet will swarm out and sting us to death. It is unnecessary; it puts us in the wrong; it is fatal."

The
Confederate
Attack

On April 10, Davis instructed General Beauregard to demand the evacuation of Fort Sumter, and in case of refusal, to go ahead and "reduce it." Anderson refused to surrender. On April 12, Beauregard ordered his batteries to open fire on the fort. The firing lasted all day, and began again actively on the morning of the 13th. In the afternoon, with the fort in ruins, Anderson accepted terms of evacuation.

News of the bombardment of Sumter reached Lincoln the day before the surrender. If the report proved true, he declared, "I shall hold myself at liberty to repossess, if I can, like places which had been seized before the Government was devolved upon me. And in every event I shall, to the extent of my ability, repel force by force. . . . I scarcely need to say that I consider the military posts and property situated within the States which claim to have seceded as yet belonging to the Government of the United States as much as they did before the supposed secession." On April 15 he called out militia forces, to the number of 75,000, to enforce the laws of the United States in regions where they were being defied; on April 19 he proclaimed a blockade of Confederate ports.

During these trying six weeks before the Confederate attack, Lincoln had scrupulously avoided anything even suggestive of aggression. He left the little United States Army where it was, scattered among the numerous military posts in the West. Apart from sending the small, and wholly ineffective, relief expeditions prepared for Fort Sumter, and for Fort Pickens in Florida, he did nothing with the navy. His call for a special session of Congress he did not issue until April 15, when he ordered out the militia, and even then he named July 4 for the first meeting. All this stood out in sharp contrast with the belligerent course of the Confederates, with their seizure of federal property, their open preparations for war, and their unprovoked bombardment of Fort Sumter. Undoubtedly the majority of Southerners would have preferred peace to war, but only on their own terms, that is to say, a formal recognition of their right to leave the Union. Lincoln would have preferred peace to war too, but only on condition that the southern states recognize their allegiance to the federal government. Whether he would have attacked them if they had not begun the fight no one can say; the Confederates were too impatient to wait and see.

Preparations
for War

The Civil War was not undertaken as a drive against slavery. Lincoln

The Real
Issue

found himself confronted by a rebellion; being entrusted with the responsibility of enforcing the laws, he endeavored to suppress this rebellion. To his mind the assumed right of secession was the very negation of government, justifiable only on the principle of anarchism. Some twenty years earlier Daniel Webster had put the theory of American nationalism into words of enduring fame; it fell to Lincoln to put these words to the final test of force, to see whether or not Webster's principle could triumph in a crisis. Lincoln himself was clear as to the purpose of the war. His primary object was to preserve the Union; it had become necessary, he said, in May, 1861, "to settle this question now, whether, in a free government, the minority have the right to break up the government whenever they choose." When Congress met, it agreed with the President. Both houses resolved that the aim of the war "was not conquest or subjugation, not to interfere with or to overthrow the rights or the established institutions of the Southern States, but to maintain the supremacy of the Constitution and to preserve the Union."

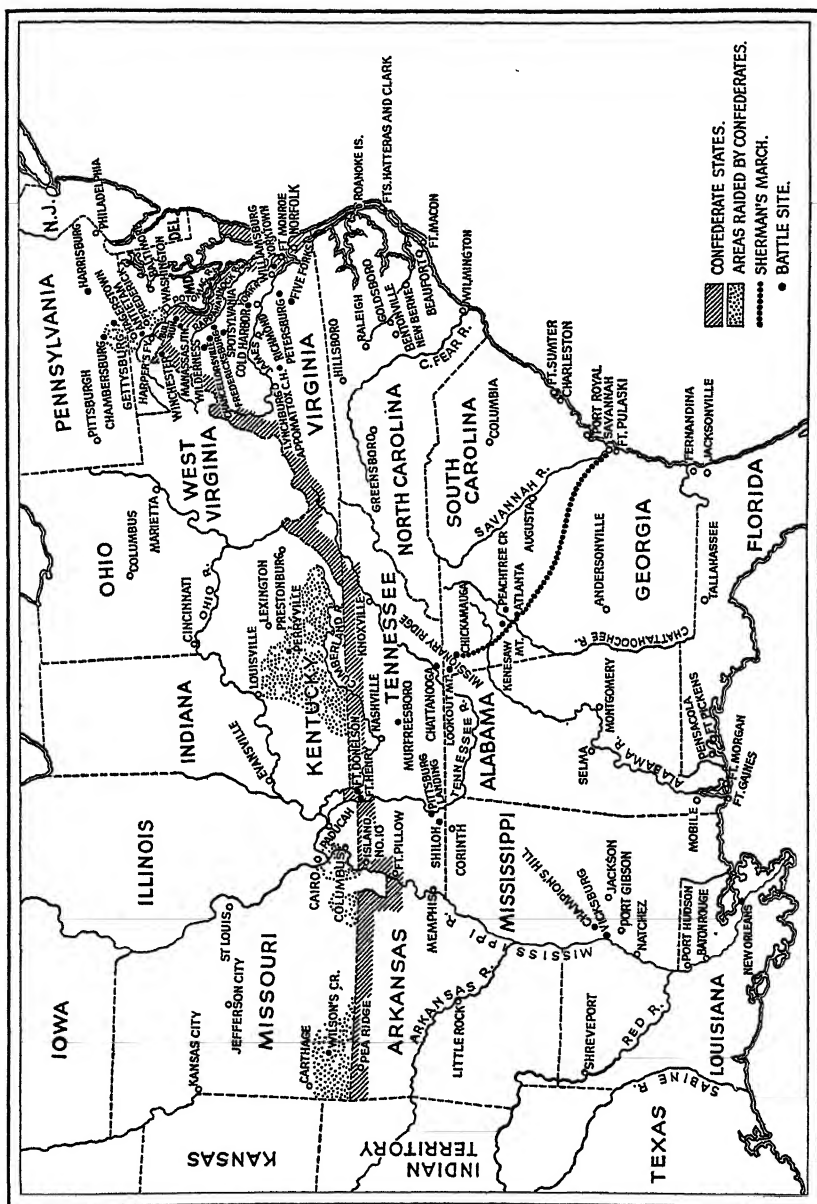
Lincoln developed this same theme in his first message to Congress, July 4, 1861.

And this issue [the assumed right to secede] embraces more than the fate of these United States. It presents to the whole family of man the question whether a constitutional republic or democracy—a government of the people, by the same people—can or can not maintain its territorial integrity against its own domestic foes. It presents the question whether discontented individuals, too few in number to control administration according to organic law in any case, can always, upon the pretense, break up their government, and thus practically put an end to free government upon the earth. It forces us to ask, Is there in all republics this inherent and fatal weakness? Must a government of necessity be too *strong* for the liberties of its own people, or too *weak* to maintain its own existence?

Border States

Lincoln's first call for volunteers brought him substantial support from all the non-slaveholding states. At the same time it helped to clarify the situation in the border states, so that, officially at least, they were compelled to join one side or the other. Missouri and Kentucky were kept in the Union, partly by Lincoln's handling of the issue of slavery, partly by the quick work of a few militant leaders, but in the last analysis by the predominance of Union sentiment.

Maryland created a difficult problem. Confederate sympathy was strong throughout the state, and particularly so in Baltimore; on April 19, an unruly mob there attacked the sixth regiment of the Massachusetts militia on its way to Washington. Two days later pro-Confederate rioters cut the telegraph line and tore up the railroad tracks between Baltimore and Washington, thereby temporarily isolating the national capital. Not satisfied with these efforts to embarrass the Lincoln administration, the mayor of Baltimore and his friends destroyed the railroad bridges on the lines to Philadelphia and Harrisburg. Then the belligerent mayor joined the governor



of the state in an appeal to Lincoln to bring no more troops across the sacred soil of their state. Lincoln replied that he must have soldiers in Washington, and that, inasmuch as they could neither fly over Maryland nor crawl under it, they must come across it.

At the height of this crisis over troop movements, the Maryland legislature assembled. There was grave danger that this body might vote to secede. Lincoln decided not to interfere with the members, unless they should invite punishment by voting to arm the citizens against the United States. If they should do this, he authorized General Scott to uphold federal authority, and if necessary to bombard the cities and to suspend the writ of *habeas corpus*.

At this time it was easier for the President to make policies than to execute them. With the Confederacy already in arms, with Maryland almost ready to secede, and with all railroad connections to the North temporarily out of commission, Lincoln had for protection practically nothing but the Sixth Regiment from Massachusetts. He knew that the Seventh from New York and the Eighth from Massachusetts were on the way, but they were held up at Annapolis, again by the pro-Confederate Marylanders. However, on April 25 the New York regiment reached Washington. By May 13 train service was resumed, and the immediate danger from Maryland was over.

The first session of the Confederate provisional Congress had adjourned on March 16, so it was not in session during the climax of the dispute over Fort Sumter. But the new government had already provided for an army of 100,000 men, and it had begun to organize a navy. After Lincoln's call for volunteers, Davis summoned his legislature for a special session to begin on April 29. When it convened, Davis submitted a long message in which he referred to Lincoln's proclamation as a declaration of war against the South. The situation demanded a summary of the events leading to hostilities, he said, so that mankind in general might pass intelligently and impartially on the purposes of the Confederacy. Davis gave this historical analysis, pointing out how the national government, originally designed, as he said, "to secure the blessings of liberty and independence against *foreign* aggression," had been perverted into a device to control the domestic affairs of the states. He also pointed out the evil effects of the abolitionist movement, and the probable consequences to the South of the Republican victory at the polls. In conclusion he asserted that the Confederacy desired only to be let alone, that it wanted peace "at any sacrifice save that of honor and independence." But the attack upon Fort Sumter had ended all hope of peace. So began the struggle for southern independence, a struggle that lasted four full years and resulted in the complete defeat of the Confederacy.

Military Activities, 1861-1865

THE FIRST BATTLES

BEFORE the Confederate attack upon Fort Sumter northern opinion had been characterized by indifference and indecision. There was no visible evidence of unanimity, nothing to indicate that in case of crisis the new President could depend upon adequate support. Even so influential a mold of public sentiment as Horace Greeley of the *New York Tribune* urged that "the erring sisters" be allowed to depart in peace. The news of Sumter startled the North and shocked it into action. Filled with that exaltation which comes with the knowledge that a crisis has arrived, men hurried to enlist to save the Union. A war merely to exterminate slavery would have failed dismally. A war to uphold the Union, on the other hand, was given adequate support.

As the two governments, federal and Confederate, took stock of their respective resources, it must have seemed to the former that the war was won before it began, so great was northern superiority in all material assets. Had the South not been driven on by the most sublime faith in the justice of its cause, it could not even have entered the struggle. The Union consisted of twenty-three states, with a population of 22,700,000, while the Confederacy had eleven states, with a white population of only 5,096,000. This discrepancy in numbers was in part made up by the geographical advantages which the South enjoyed. Fighting on the defensive, the South had shorter lines of communication, with less difficulty in transporting troops. Its territory was well served by rivers, which facilitated Confederate movements, and made obstacles for their opponents.

The Resources
Compared

In other respects the odds were heavily against the Confederacy. The chief source of revenue of its citizens was cotton, worthless if cut off from a market. The value of this asset was practically destroyed by the Union blockade. Manufacturing on a large scale had never developed there and the section could not be self-sustaining. In the North there was a wide variety of manufacturing, most of which could be turned to account either directly or indirectly in the prosecution of the war. New England and the middle states had textile mills and machine shops in numbers almost sufficient to take care even of the abnormal needs of war. Moreover, the highly diversified and profitable economic life of the North had made available the necessary capital for a long war. There had never been enough accumulated

capital in the South to finance its own peacetime needs. When additional supplies were needed, rifles for example, the North had no difficulty in securing them from England.

Northern
Military
Forces

Although it was fortunate in these respects, the North did not have a strong military force. In 1860 the regular army consisted of about sixteen thousand officers and men. Of the twelve hundred officers trained at West Point, two hundred felt a stronger loyalty to their states than to the government which they had taken a solemn oath to defend. They joined the Confederacy. None of the officers had ever seen service with large forces, not even during the Mexican War. When Lincoln called for seventy-five thousand volunteers there was no one fitted by experience to handle so large an army. The War Department had no plans for moving, clothing, or feeding such a force. Worse yet, the War Department was in the incompetent hands of Simon Cameron.

The volunteers and regulars collected in Washington remained there without any spectacular movement until midsummer. By that time the country was becoming impatient, and popular opinion was clamoring for an attack upon the Confederates. Their forces were just across the Potomac, almost within sight of Washington itself. Besides this army, under Beauregard, there was another Confederate force in the Shenandoah valley, under General Joseph E. Johnston. Both of these threatened the federal capital.

First Battle
of Bull Run

In the middle of July, against the advice of his competent general officers, including Scott himself, Lincoln decided that his heterogeneous collection of men in uniform must attack the Confederates in Virginia. The only prospect of success lay in the equality of inexperience of the enlisted men on both sides, and in the hope that in maneuvering green troops the federal officers might have better luck than their opponents. But the hope proved groundless. The Battle of Bull Run started on July 21, and for a time, in spite of the inexperience of the troops, the Union commander, McDowell, had his plans working well. By three o'clock in the afternoon it appeared that he had won a brilliant victory. But the arrival of a fresh detachment of Johnston's army enabled the Confederates to turn the tide, and the federal forces broke and ran. The volunteers were unable even to obey orders; further fighting was out of the question. What had been an army became a panic-stricken mob, and what should have been a retreat became a disorderly flight. Most of the men were stopped when they reached their fortifications south of the Potomac, but some crossed the river and hurried into Washington.

General
McClellan

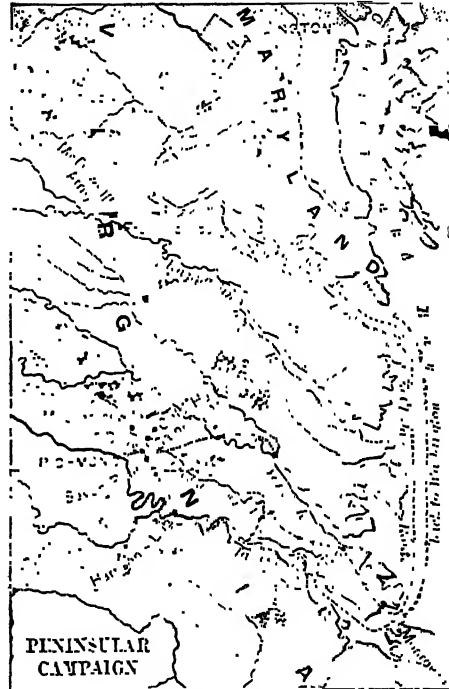
The day after the Battle of Bull Run, Lincoln called upon General George B. McClellan to take command of the forces around Washington. McClellan had been at work in the western part of Virginia, where Union sentiment was strong and where the people subsequently carried the idea of secession one step further. They withdrew from Virginia and formed a new state, loyal to the Union. McClellan had little to do there, but thanks largely to

good fortune, he acquired the reputation of being a successful man. He had previously seen some of the campaigns of the Crimean War. Lincoln turned to him to end the struggle.

McClellan was of too slow and cautious a nature to be a great soldier. To him victory meant simply the application of superior force; he could never have accomplished anything where cleverness and audacity in maneuvering his men counted. Never willing to take any chances, he spent months in drilling the collection of volunteers into a regular army, and by November, 1861, it seemed that this part of his work was finished. His plan was to develop a perfect fighting machine of at least 250,000 men. With that army, an overwhelming force, he counted on a march to the Confederate capital. But much to the disgust of the President and the country, he spent all the fall and winter in getting ready.

A little study of the map will make clear the broad outlines of the strategy of the Civil War. Union forces operating in Virginia had two objectives: to protect the North from invasion and if possible to capture Richmond. In the West the Union forces worked first to secure control of the Mississippi River, and next to capture the important railway center at Chattanooga, Tennessee, the gateway to Georgia from the west.

In making plans for the first campaigns President Lincoln showed considerable insight into the detailed problems of topography and strategy. He was one of the few to notice at the start the essential unity of the whole military and naval problem. In his mind the blockade of the ports, and the campaigns in Virginia and in the Mississippi valley were not isolated ventures, but intimately related parts of a single process. "I state my general idea of this war," he wrote, January, 1862, "to be that we have the greater numbers, and the enemy has the greater facility of concentrating forces upon points of collision; that we must fail unless we can find some way of making our advantage an overmatch for his; and that this can only be done by menacing him with superior forces at different points at the same



Major
Problems of
Strategy

MAP 25. McCLELLAN'S PENINSULAR CAMPAIGN.

time, so that we can safely attack one or both if he makes no change; and if he weakens one to strengthen the other, forbear to attack the strengthened one, but seize and hold the weakened one; gaining so much."

Then Lincoln worked out a comprehensive plan of action, designed to cover the situation off the coast, before Washington, in western Virginia, and in the important section of western Kentucky and Tennessee, along the Mississippi. Next he gave orders for the seizure of Manassas Junction, Virginia, and for a double attack upon Tennessee, with the loyal counties in the eastern part of the state for one objective, and the railroad center at Memphis for the other.

In the Confederacy, on the other hand, for the first year of the war, Davis's military policy was entirely defensive. The seizure of Fort Sumter was not an aggressive action, as he saw it; the South was merely resuming possession of its own property. Confederate forces were to be stationed along the frontier, not to invade the North, but merely to protect the South. Inside this military barrier Davis assumed that life would go on normally as though there were no war. In making this decision he ran counter to the advice of one of the ablest generals in the South, Thomas J.—better known as "Stonewall"—Jackson. In the summer of 1861, Jackson advised an invasion of Pennsylvania and Maryland. Davis, however, would not sanction any offensive operations.

There are few instances in history where a policy merely of defense has ever resulted in victory. It would seem that Davis's only hope lay in smashing offensive, both in Pennsylvania and in the Mississippi valley, to overwhelm the North before its full strength was available. The Confederate policy really played into Lincoln's hands, by giving the Union time to organize. Failing to realize this importance of hitting first, Davis lost his only chance—if indeed he really had even the chance—to win the war. In 1861 enthusiasm for the Confederate cause was at its highest; war weariness, when it came, affected the South first, and broke down the spirit of southern resistance. The South had never been wholly united, and defeat gave factional and sectional differences an opening.

During the latter part of 1861 Davis was perhaps less directly concerned with military affairs than with the establishment of the "permanent" government of the Confederacy, on the basis of its new constitution. In the general elections held in November, Davis and Stephens were chosen President and Vice-President, for a six-year term. The inaugural ceremonies were held at Richmond on February 22, 1862. In his inaugural address, Davis called attention to "the malignity and barbarity of the Northern States" in their prosecution of the war. All the principles of civil and religious liberty were being disregarded. In the Confederacy, on the other hand, "there has been no act on our part to impair personal liberty or the freedom of speech, of thought, or of the press." Davis was greatly encouraged by the manifestation of Confederate loyalty and devotion, in spite of

Davis's
Strategy of
Defense

The Confed-
erate Point
of View

the temporarily unfavorable military situation. The final result was certain to favor the South; "the period is near at hand," he said, "when our foes must sink under the immense load of debt which they have incurred." While the North was in process of being ruined, the South, in spite of trials and difficulties, was actually gaining strength from the war. "This great strife has awakened in the people the highest emotions and qualities of the human soul. It is cultivating feelings of patriotism, virtue, and courage." Even the blockade was bringing some good, to offset the loss of trade. It was making the Confederacy self-supporting and independent. The inaugural furnished additional evidence of Davis's faith in his people, and of his trust in God. At the same time, it revealed a lack of capacity for sound analysis. Such factors as the blockade, the absence of foreign help, and the tenacity of the North did not receive due consideration in his thinking.

In the North General McClellan seemed just as firmly bent upon inaction and defense as Jefferson Davis was at Richmond. Evidently feeling that McClellan would never move unless compelled to do so, Lincoln issued his general war order number one, calling for a series of attacks. Prominent in this list was the proposal to send McClellan against Richmond. Between Washington on the Potomac and Richmond on the James lie two rivers, the Rappahannock and the York, which run through marsh lands, swamps, and forests. Although the shortest distance between the two capitals is hardly over a hundred miles, no army could travel in a straight line. McClellan's first plan was to move his force overland keeping it between Washington and the Confederate army. Then he suddenly changed his mind, and decided to send his men around by boat to the peninsula between the York and the James. That route seemed to offer fewer natural obstructions. Lincoln sanctioned the change, with the express condition that Washington be fully protected meanwhile. The troop movement began on March 10, 1862. This peninsula campaign resulted in complete failure. McClellan had the advantage of superior forces, and by June, 1862, he was within striking distance of the Confederate capital. Generals Lee and Jackson, however, outmaneuvered McClellan. In July McClellan's army was ordered to return to Washington. The peninsula campaign was over, with nothing to show for it except losses of fifteen thousand on the Union side, and nineteen thousand on the Confederate.

Peninsula
Campaign

Fortunately for the Union cause, other ventures were more successful than McClellan's fruitless efforts in Virginia. On April 19, Lincoln had announced a blockade of the Confederate coast from South Carolina to Florida. In order to extend this, and to make it more effective, certain permanent bases were needed on the shore. Late in August an expedition sailed from Fort Monroe for the North Carolina coast, where there were points of great strategic value in the federal blockade of the Confederacy. In January, 1862, Union forces captured Roanoke Island, and in March they took possession of New Berne, Fort Macon, Beaufort, and other neighboring points.

Naval
Actions

Enough territory was taken to enable General Burnside to establish a temporary government. In November, 1861, Union forces seized Hilton Head, South Carolina, as another link in their blockading operations.

In March, 1862, shortly before McClellan moved his troops to the peninsula, the Confederate navy put into service the old frigate *Merrimac* newly made over into a great ironclad, renamed the *Virginia*. On March 8 she steamed into Hampton Roads, rammed and sank the *Cumberland*, and forced the *Congress* to surrender. That same evening, a Union ironclad, the *Monitor*, arrived in Hampton Roads. She was a curious-looking craft, with her deck only a foot above water, with a round turret in the center. Although she carried only two guns, her revolving turret and mobility gave her the advantage over the lumbering *Merrimac*. On the morning of March 9, the two vessels plunged into a furious gunnery duel, at close range. Neither was able to get a decisive victory, but the *Merrimac* was obliged to put back to port for repairs; although she was restored to the service again, the Confederates refused to risk her in another fight.

In the West, during this same winter and spring of 1862, other movements were going on, strategically just as important as those in Virginia, and more satisfactory to the Union. The key to these western campaigns is to be found in the western end of Kentucky, where the state narrows down between the lower Ohio and the Tennessee boundary. The places of cardinal importance were Cairo, Illinois, just across from Kentucky, where the Ohio joins the Mississippi, and Memphis, Tennessee, a railroad center on the Mississippi River. From this strategic section there were rivers and railroads leading into the very heart of the Confederacy. The significance of this region as a possible back door into the enemy's country was appreciated on both sides.

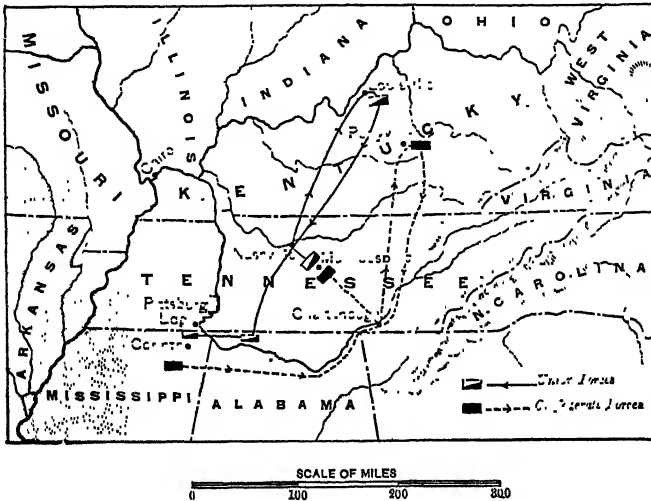
Early in 1862 Halleck was in command of the Union forces between the Mississippi and Cumberland Rivers; Buell commanded others between the Cumberland and the Alleghenies. The Confederate General, Leonidas Polk, before the war a bishop in the Episcopal Church, had seized the river terminal of one of the railroads, the Mobile and Ohio, at Columbus, Kentucky. To clinch their hold on the region and to safeguard the railroads to the south, the Confederates then built two forts, Henry, on the Tennessee River, and Donelson, on the Cumberland, both in northern Tennessee, about twelve miles apart. By the time the Union forces were prepared to act there, the Confederates were firmly established.

One of the Union brigadier generals in the West was Ulysses S. Grant, a West Point graduate, thirty-nine years of age. He had resigned from the army in 1854, and his friends thought that he was a hopeless failure. Added to his inability to make a living was a liking for liquor, which threatened for a time to get the better of him. Because of his reputation he found it difficult to get back into the army when the war started, but he was finally placed in charge of some western regiments.

Plans for
the West

Grant's First
Victories

Grant established his headquarters at Cairo, and occupied Paducah and Smithland, at the mouths of the Tennessee and Cumberland Rivers. On February 1, 1862, after some hesitation Halleck authorized Grant, with the assistance of Commodore Foote and some gunboats, to move against Forts Henry and Donelson, and Island No. 10, in the Mississippi below Columbus. In strange contrast to McClellan, Grant had his forces in motion on the next day. On February 6, Fort Henry surrendered. Grant then began his attack on Fort Donelson. Should this fall, the whole of Tennessee between the Alleghenies and the Mississippi would be open to a Union advance.



MAP 26. OPERATIONS IN THE WEST.

On the morning of February 15, Grant's troops faced Fort Donelson. He was expecting to lay siege, and on that particular morning he was five miles away, conferring with Foote, on board a gunboat on the Cumberland River. Contrary to his expectations the Confederates attacked, and nearly succeeded in making an escape. Grant returned in time to save his men from defeat, and drove most of the Confederates back into the Fort. Then their two leading generals there, Floyd and Pillow, decided to flee before they were compelled to surrender. Their hasty withdrawal left Buckner in command.

The next day Buckner asked for terms, and Grant replied, "No terms except unconditional and immediate surrender can be accepted." Buckner yielded to these "ungenerous and unchivalrous terms," as he called them, and Union forces took possession of Donelson. Buell entered Nashville without a fight. This victory forced the Confederates to withdraw to the next line which could be defended, that running from Memphis through Corinth to Chattanooga. Both places were important railroad junctions. By April,

Grant, with forty-five thousand men, was stationed at Pittsburg Landing, less than twenty miles from Corinth, and Buell was moving to join him with thirty-six thousand more.

Shiloh

Once in camp at Pittsburg Landing Grant waited for Buell's arrival, not expecting a Confederate attack. By April 2, Buell's advance forces had arrived at the river, opposite Pittsburg Landing, but had not crossed. Grant's line was two miles long, and one of his divisions was five miles away. No attempt was made to throw up entrenchments, and the men were left in a position of serious danger in case the Confederates cared to move.

The Confederates at Corinth were in command of General A. S. Johnston, with Beauregard and Bragg under him. Johnston took in the situation and on April 6, in the battle of Shiloh, he attacked the federal line with his whole force. Grant was then having breakfast at Savannah, five miles away from the point of attack. Hearing the noise of the guns he hurried to the scene and put his men to work. The battle lasted all day. Johnston himself was killed but Beauregard carried on the attack. By nightfall the Union line was in the hands of the Confederates. Beauregard was ready to begin again on the next day, and, confident of victory, he telegraphed to Richmond that the battle was won. Delighted with the news, only a month after the loss of the first Confederate line in Tennessee, Jefferson Davis sent a special message to his Congress: "I am able to announce to you, with entire confidence, that it has pleased Almighty God to crown the Confederate arms with a glorious and decisive victory over our invaders."

Davis, however, sent his congratulations before the end of the fighting. Before the next morning Buell arrived with twenty thousand fresh troops, ready for immediate action, and Grant was able to take the offensive. Before the end of the day the Confederates were defeated, and Beauregard took his men back to Corinth, and then to Memphis. By the middle of June, 1862, the Federals controlled the Mississippi as far south as Vicksburg, and they had driven the Confederates out of their second line of defense in southwestern Tennessee. Vicksburg on the Mississippi and Chattanooga in southeastern Tennessee both lay open to an immediate attack. But Halleck, who took command there for a time, was too cautious to follow up the advantages which Grant had gained, and therefore in that quarter the Confederates remained undisturbed for a few months more.

New Orleans

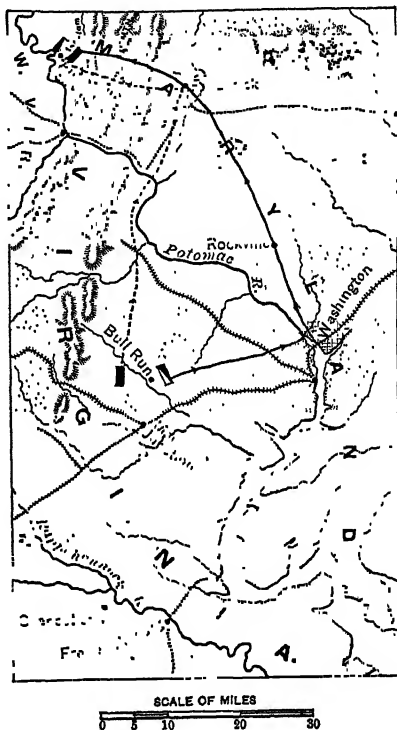
In April, 1862, less than three weeks after Grant's victory at Shiloh, federal forces captured New Orleans. The combined efforts of the War and Navy Departments provided a fleet of twenty-seven vessels, including gunboats under the command of Captain Farragut, and in addition transports for fifteen thousand troops, under the command of General Benjamin F. Butler. The city was defended by forts and by a fleet of fifteen vessels, one of which was an ironclad ram. Farragut expected to run past the forts, capture or destroy the fleet, and attack New Orleans directly. On April 24, early in the morning, his own fleet started up the river. The boats ran past

the forts, through a heavy bombardment, and then attacked the Confederate fleet. Farragut inflicted some damage, but the northern ships suffered more. The next day, however, the federal fleet was ready to bombard New Orleans. The authorities refused to surrender, and set fire to everything which the Federals might use: steamboats, coal, and cotton. On May 1, Butler marched in with a force of Marines, and New Orleans came into Union hands for the rest of the war. The populace was inclined to make trouble for the newcomers, but General Butler soon convinced them of the wisdom of keeping quiet.

After the loss of New Orleans, the Confederates fortified Port Hudson, Louisiana, which guarded the mouth of the Red River. This was the broad highway for food supplies coming into the main part of the Confederacy from Texas and Arkansas. Between Port Hudson and Vicksburg, a distance of 125 miles, the Confederates continued to hold the Mississippi until the summer of 1863.

From the Union point of view campaigns in the East were considerably less satisfactory than those in the West. In August, 1862, the Confederate generals, Lee and Jackson, caught General Pope's army at the Second Battle of Bull Run, and inflicted a crushing defeat upon him. With McClellan defeated on the peninsula, and with Pope beaten at the Second Bull Run, the Confederate leaders decided upon a more vigorous offensive, with a great triple attack upon the North. Van Dorn was sent against the federal forces in the Memphis-Corinth section with orders to get control of the railroad centers there. Bragg and Kirby Smith were sent into Kentucky, to win that state and thus force the evacuation of Tennessee. Lee himself advanced into Maryland. Van Dorn accomplished nothing of any consequence. Smith succeeded in occupying Lexington, Kentucky, and sent detachments to within a few miles of Cincinnati, Ohio, while Bragg advanced toward Louisville. The actual results were negligible, and this second part of the offensive proved fruitless.

To meet the threat in the East, Lincoln restored McClellan to his command. Lee was moving north into Maryland right after harvest time, evidently determined to seize a supply of wheat. On September 17 the two



Confederate
Offensive,
1862

MAP 27. FIRST INVASION OF THE
NORTH.

Antietam

armies met at Antietam. If McClellan had known how to handle an army he might have inflicted a decisive defeat upon Lee. Instead, he let the Confederates get away and allowed them to retreat into Virginia without making any attempt to stop them. McClellan allowed Lee five weeks for rest and recuperation, and then the cautious Union commander crossed over into Virginia. It is not surprising that on November 7 Lincoln again removed him from his command, for the second and last time. There is little that can be said in defense of McClellan, except that he had no superior at organizing green troops, and that some other commanders were equally or more unsuccessful. It took two years to weed out of the army these generals who did not know how to fight, and to find commanders who could use the armies put at their disposal.

Fredericksburg and Chancellorsville

To take McClellan's place as commander of the army of the Potomac, the President selected General Ambrose E. Burnside. He decided to move directly against Richmond by way of Fredericksburg. On December 13, 1862, with 106,000 men, Burnside began the attack upon Lee, with 72,000. Two days later the Federals recrossed the Rappahannock, badly beaten, with a loss of over 12,000 men. This experiment cost Burnside his position. The next Union commander selected was General Joseph Hooker.

Spending the early spring in reorganizing the forces, badly demoralized after Fredericksburg, Hooker was ready for action before the end of April, 1863. The next battle, at Chancellorsville, lasting from May 1 to May 3, consisted largely of a series of blunders and misfortunes on Hooker's part; which predominated, no one but a military expert could say, but the result was evident and painful. Again the federal forces were badly beaten, this time with a loss of nearly seventeen thousand men.

THE TURNING POINT OF THE WAR

Gettysburg

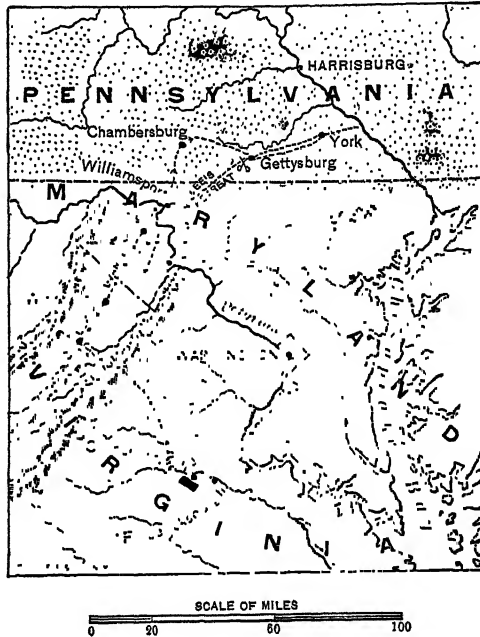
In June, 1863, Hooker followed McClellan and Burnside into the back-ground, and General Meade was placed in command of the ill-fated army of the Potomac. The fact that the army and the whole Union did not give way to discouragement after Fredericksburg and Chancellorsville is a tribute to the spirit of the time. Instead, still hoping in spite of the miserable record of 1861, 1862, and the early part of 1863, they watched Lee make another effort to carry the war into Union territory. By way of the Shenandoah valley he moved rapidly north and by June 29 his forces were stretched from Chambersburg to Harrisburg, Pennsylvania. Meade had taken command of the Union army just the day before. He aimed at the control of Gettysburg, in order to prevent Lee from turning south again. The attack came on July 1, and for two days the battle continued, without decisive advantage to either side. On the afternoon of July 3 Lee decided to send a division of fresh troops against the center of Meade's line. The Union artillery had full command of the ground immediately in front of that point, but Lee, having acquired a habit of victory, disregarded the danger. Pickett's men, who

made the charge, crossed the intervening space between the two armies in the face of deadly fire, and began hand-to-hand fighting with the Federals. But this time the Union line held and the Confederates dropped back. Pickett lost two-thirds of his command. This ended the heaviest fighting of the Battle of Gettysburg. Lee lost 22,000 men, or nearly 30,000 if prisoners are included, men whom he could ill spare. The Union forces lost 18,000, or over 23,000 including prisoners. On the evening of July 4, in a heavy downpour of rain, Lee took his men back to the Potomac River. Because of the high water caused by the rain, the Confederate army spent a week on the Maryland side, unable to get across. Meade wanted to attack at once, before the floods subsided, but nearly all his corps commanders advised against it, so Lee got away again.

Even though Lee escaped, the Union victory at Gettysburg marked the turning point of the war. Gettysburg represented the utmost that Lee could do, and it was not enough. For the future he was destined to find it more difficult to secure both men and supplies, so that he was

obliged to remain on the defensive. He could still cause serious trouble to those Union forces engaged in the long-drawn-out, seemingly hopeless task of taking Richmond, because his abilities shone most brilliantly in defensive work. But after the summer of 1863 the North was never again in danger of Confederate invasion. Moreover, although the end of the war was not in sight, the nature of the final outcome was. For the Confederacy after 1863, in spite of brilliant fighting, the war became an endurance test, with only one possible outcome—defeat.

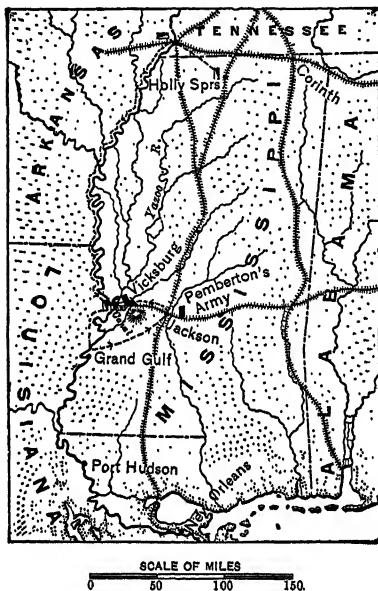
On the same July 4 that saw Lee's rainsoaked veterans retreating to the Potomac, Grant captured Vicksburg and virtually opened the whole Mississippi to Union control. Vicksburg was on a ridge of high bluffs overlooking the Mississippi, and protected from attack by a long stretch of marsh land to the north. It was accessible from the east and southeast, but these approaches were heavily fortified. Grant had tried various schemes for getting near the place and every one had failed. Then he moved the greater



MAP 28. SECOND INVASION OF THE NORTH.

Vicksburg

part of his army over to the western side of the river with the intention of recrossing the river below Vicksburg. By taking this course, he could move upon the city from the southeast. On April 30, 1863, Grant landed his forces at Brownsburg, Mississippi, and began his march. Cutting loose from his base of supplies, he had his men carry rations for five days. Grant's own personal baggage consisted of "a brierwood pipe, a pouch of tobacco, and a tooth-brush." Picking up supplies as he went along, creating wagon trains out of Confederate farm wagons, fighting the Confederate generals, Pemberton



MAP 29. THE VICKSBURG CAMPAIGN.

cannon and fieldpieces, had taken the capital of the State and destroyed its arsenals and military manufactories, and was now in the rear of Vicksburg."

Unable to take the town by storm, Grant settled down to a siege, and so starved the army and population into submission. On July 4 the place surrendered. With Vicksburg gone, Port Hudson had to yield; it surrendered on July 8. The capture of these two points gave the river to the Union, and more. It separated Texas, Arkansas, and Louisiana from the rest of the Confederacy, and by so doing it cut off the most important source of supplies which the Confederates had used. With this opening permanently closed and with the blockade working more effectively, the Confederacy was thrown back upon her own resources, insufficient at best, and now badly depleted after two and a quarter years of war.

Of the three main keys to the Confederacy: Richmond, Vicksburg, and Chattanooga, the Federals had full control of one. During the fall, they got the second, Chattanooga. Late in the summer of 1863, Rosecrans began to

prevent them from uniting, Grant pushed steadily forward. On May 14 he captured Jackson, the state capital. By May 19 he had possession of the heights on the river north of Vicksburg, and so got in touch again with his supplies. The Confederates were penned up in Vicksburg, with Grant's army on two sides and in the rear and with Porter's gunboats in front.

Grant's achievement was one of the most remarkable of the war. "In nineteen days Grant had crossed the great river into the enemy's territory, and marched one hundred and eighty miles through a most difficult country, skirmishing constantly, had fought and won five distinct battles, inflicting a greater loss upon the enemy than he himself sustained and capturing many

move against Bragg's army in central Tennessee. Gradually pushing the Confederates back, Rosecrans was able on September 9 to occupy Chattanooga, while Bragg crossed the line into northwestern Georgia. Here he paused to consolidate his forces. Rosecrans hurried after him, running serious risks as he did so by separating his divisions. On September 19 Bragg began an attack, which ended in the Battle of Chickamauga. Worn out with anxiety, Rosecrans seems to have lost his nerve. In any case his strategy was poor and the next day his troops were in full retreat to Chattanooga, nearly fifteen miles away. Except for General Thomas, the defeat might have been decisive. As it was, Rosecrans was almost besieged in Chattanooga, with an inadequate supply line to the north. Chickamauga

The administration sent reinforcements from the army of the Potomac and placed Grant in full command of all the armies of the West, except for the forces in the Gulf States. His first step was to set Rosecrans aside and put Thomas in charge of Chattanooga. On October 23, Grant himself took charge. A month later, with the necessary reinforcements available, Grant was ready for work. The Battle of Chattanooga, which lasted from November 23 to November 25, was one of the most spectacular of the war. Thomas began the attack and drove the Confederates out of their first line. At midnight Sherman began to move his forces across the Tennessee. On November 24 Hooker won the Battle of Lookout Mountain. On the twenty-fifth, Thomas's troops were ordered to take the Confederate rifle pits at the foot of Missionary Ridge. They did so, but instead of waiting for further commands, the whole force, eighteen thousand men, in the face of murderous artillery fire, climbed the ridge, and in "one of the greatest miracles in military history" drove the Confederates in confusion down the other side. The Battle of Chattanooga was as important as the victory at Vicksburg; it ended all hope of the restoration of Confederate control in Tennessee and more important still gave the federal forces an open door into Georgia.

On February 29, 1864, Congress revived the grade of Lieutenant-General, hitherto held by only two men in the United States, George Washington and Winfield Scott. Lincoln appointed Grant to the position, thereby putting him in full charge of all the military operations of the war. On March 9 Grant received his commission from the hands of President Lincoln. By that time, the ultimate supremacy of the federal cause was evident to everyone, probably even to the Confederates themselves. The conscription act was furnishing plenty of men, the Treasury was providing the necessary funds, and the preceding years had brought to the front generals who could win victories. By 1864 Sherman, Thomas, Sheridan, and Grant had passed the test of actual service and the Union armies had commanders who were the equals of Joseph Johnston and Lee.

Promotion of
Grant

The new commander came east to take immediate charge of the ill-fated army of the Potomac. From the start he made the defeat of Lee's army

rather than the capture of Richmond his main objective, thereby endorsing a principle which Lincoln had been advocating since 1863. At the very beginning of Grant's active work in Virginia, Lincoln assured him of his complete approval, and except for an occasional hint, left him to his own devices. "The particulars of your plans I neither know nor seek to know. You are vigilant and self-reliant; and, pleased with this, I wish not to obtrude any constraints or restraints upon you."

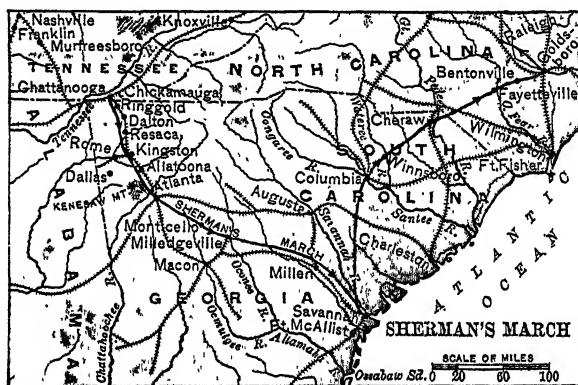
Campaigns in
Virginia

While Grant was beginning his campaign in Virginia, Sherman, now in command of the armies in the West, was to move from Chattanooga into Georgia, against Joseph E. Johnston's force. In the East, Grant crossed the Rapidan on May 3, 1864, and moved into a stretch of territory not far from Chancellorsville, known as the Wilderness. Halfway through this desolate fifteen-mile stretch he was attacked by Lee, whose troops had moved in by roads crossing Grant's at right angles. The two-days' battle there was a draw, "a compound murdering-match" with the losses approximately equal on both sides, probably about seventeen thousand apiece. Lee failed in his attempt to prevent Grant from passing through the Wilderness, while Grant was as far from capturing Lee as before.

Hitherto, after a contest of that sort, the army of the Potomac had retreated for repairs and a new commander. This time, to the surprise of the Confederates, it did not retreat. On the contrary, Grant's next move was toward Spotsylvania Court House, about fifteen miles distant. Again Lee refused to be passed, and again Grant plunged into heavy battles, lasting really from the eighth to the eighteenth of May. This fighting around Spotsylvania cost Grant nearly eighteen thousand men. The Confederates did not report their losses, but they probably suffered just as heavily. During the first twelve days of June, in the series of engagements around Cold Harbor, Grant lost ten thousand. Still determined to keep on, Grant next aimed at Petersburg, twenty miles below Richmond, the railroad center for a number of lines from the South. Unable to capture the place at once, Grant decided on a siege.

With Grant tied up before Petersburg, Lee tried the same maneuver which had wrecked McClellan's peninsula campaign two years before: a raid down the Shenandoah valley toward Washington. General Early threatened the national capital, and then, during July and August, sent cavalry parties into Maryland and as far north as Chambersburg, Pennsylvania. Even if Grant could not capture Lee, he was able to put a stop to that sort of activity. Sheridan was sent into the Shenandoah with a large detachment of the army of the Potomac. On September 19, he fought Early at Winchester, and again three days later at Fisher's Hill. On October 19, at the Battle of Cedar Creek, he drove the Confederates out of the valley. Carrying off what supplies he could use, he burned the rest. His work of destruction there put an end to further threats from the Shenandoah valley.

Although Grant kept up a constant pressure on Lee, there were no further significant developments in Virginia until the following spring. The disappointment of the North was bitter and intense. They had expected Grant to finish the war before winter, but so far as they could see, the most striking results were a steadily lengthening casualty list, with little to show for it. There is no doubt that Lee had certain advantages during these operations. He was on the defensive, his lines were shorter, and he was thoroughly familiar with every foot of the country. And yet Grant could stand that sort of campaign better than Lee, because the Union ranks could be filled again after the losses. Lee's could not.



MAP 30.

Had it not been for Union successes in another part of the South, it is almost certain that Grant's failure to get decisive results would have brought about a change in the administration in the election of 1864. Fortunately, reports from Sherman came in time to restore confidence. On May 5, while Grant was involved in the Battle of the Wilderness, Sherman started from Chattanooga, with Atlanta as his objective. He had about one hundred thousand men, while Joseph E. Johnston, the Confederate commander in Georgia, had about sixty-four thousand. This discrepancy was not great, because as Sherman advanced he was obliged to leave detachments behind him to guard his line of communications. The distance from Chattanooga to Atlanta is slightly over one hundred miles, with a number of natural barriers lying between. The two commanders were military geniuses of a high order.

Johnston took full advantage of local topography to impede Sherman's progress and refused to risk a general engagement. Time after time Sherman maneuvered him out of his position, whereupon he withdrew to a new one in the rear, leaving the Union forces to begin over again. By July, after eight weeks of this steady, relentless pushing, Johnston was forced across the Chattahoochee River, the last natural barrier before Atlanta. On July 17 Sherman took his own troops across, ready to attack one of the most important cities in the South. At this point Jefferson Davis sent the following

Sherman's
Campaigns in
the West

telegram to Johnston: "As you have failed to arrest the advance of the enemy to the vicinity of Atlanta, far in the interior of Georgia, and express no confidence that you can defeat or repel him, you are hereby relieved of the command." In Johnston's place the Confederate President put General John B. Hood, a reckless fighter, but nothing more. It was a case of the genius giving way to the daredevil. No one was more delighted with the change than Sherman. Ever since May he had tried unsuccessfully to induce Johnston to fight. Nobody knew better than Sherman that Johnston's work during his retreat to the Chattahoochee had been of the highest order. With Hood in command Sherman's task was greatly simplified. He and his generals knew the man and knew that they would have little trouble with him.

**Capture of
Atlanta**

On July 20 the Confederates attacked, near Peachtree Creek. They were driven back into their trenches, with a loss of six thousand men. Two days later, in the Battle of Atlanta, Hood lost ten thousand more. The Confederates held out in Atlanta until September 1. That night Hood destroyed some of the government property in the city and then abandoned the place. Sherman occupied it and made it his headquarters. Sherman's capture of Atlanta ranks in importance with the capture of Memphis, Chattanooga, and Vicksburg. Hitherto it had been safe from any of the ravages of war, and, trusting to its distance from the various scenes of fighting, the Confederates had made it into a manufacturing center, with textile mills and uniform factories. It was also an important center for cotton storage. Sherman had no intention of leaving anything in the city which would make it valuable to the Confederacy. All factories, stores, machine shops, and other public buildings, including the railroad station, were destroyed. Sherman's destruction here nearly broke the back of the Confederacy. If the people objected to this sort of thing, Sherman insisted that "they and their relatives must stop the war." While the South was complaining about Sherman's barbarity, the North greeted the news of his exploits with tremendous enthusiasm. The capture of Atlanta was probably responsible for the re-election of Lincoln.

Once in Atlanta, Sherman found himself in a peculiar situation. He did not wish to take his army back over the line to Chattanooga and it would have been foolish to keep his magnificent force tied up there, with nothing but patrol work to kill time. By October he was trying to convince Grant of the feasibility of a march to Milledgeville, then the state capital, and to Savannah. "I can make this march, and make Georgia howl!" he insisted. If successful, as he confidently expected to be, this expedition would hasten the collapse of the Confederacy. Georgia had become one of the most important sources of food in the South. Besides taking care of its own population and the army there, it was feeding Lee's army in Virginia. With this help cut off, Lee could not hold out much longer.

Early in November Grant gave his consent and Sherman prepared for

the trip. All the sick and disabled were sent back to Tennessee, as well as all the baggage which could be spared. On November 12 Sherman cut his telegraph wires, so as to be free from any interference from headquarters, and four days later, with a carefully selected army of sixty thousand veterans, he started toward the southeast. Under the circumstances his army had to find their food as they went along, and Sherman gave orders to forage liberally. This work was supposed to be done, not by the men as individuals, but by properly organized foraging parties. It was impossible, however, to prevent the men from helping themselves. Sherman himself saw one private with "a ham on his musket, a jug of sorghum-molasses under his arm and a big piece of honey in his hand." On seeing his commander watching him with obvious disapproval, the unregenerate turned to the man beside him, and in tones loud enough for Sherman to hear, quoted from the general orders: "Forage liberally on the country."

March to
the Sea

Covering a stretch of country sixty miles in width, in the heart of the best farming country in the South, Sherman's men destroyed everything that might be useful to the enemy. This included 260-odd miles of railroad, with stations, buildings, and bridges. Cotton, cotton gins, and presses met the same fate. Sherman estimated the damage to the state of Georgia at \$100,000,000, four-fifths of which was "simple waste and destruction." For a month Sherman pushed on toward the sea; on December 13 he reached the coast and got into communication with the Union fleet offshore. His demand for the surrender of Savannah was refused, but on the night of December 20 the Confederates abandoned the city. Lincoln got word of the capture of this new prize on Christmas day. It would have been difficult to think of a more effective demonstration of Confederate weakness. During Sherman's march Governor Brown of Georgia tried unsuccessfully to block the Union advance, but no southern force was able to cut Sherman's supply lines.

In February Sherman's army, still practically as strong as it had been on its arrival in Atlanta, left Savannah for South Carolina. To reach Columbia, the state capital, it was necessary for the men to cross a number of rivers and also to overcome the obstacles prepared by the Confederates. On February 17 Sherman entered Columbia, and in the confusion of Confederate retreat and Union advance, somebody set the town on fire. The responsibility for this act has never been definitely fixed. By March 19 Sherman reached Goldsboro in the center of North Carolina, 425 miles from Savannah. His advance to the north separated Charleston from the Confederacy, and on February 18 this important port was taken by the federal fleet, without a fight.

Capture of
Columbia

In some respects, Sherman's march north was one of the most important events of the war, and "the greatest march ever made in a civilized country." It enabled the Union forces virtually to cut off food supplies for the Con-

federates, which was the heaviest blow that Lee's army of northern Virginia had received since the beginning of the war. Early in 1865, therefore, Lee was compelled to meet the relentless pressure of Grant's army in Virginia, and at the same time to defend himself against Sherman's force, closing in from the South. By this time there was not sufficient strength left in the Confederacy to withstand this double attack.

Foreign Relations During the War

DIFFICULTIES WITH ENGLAND

FROM the outbreak of hostilities at Fort Sumter, President Lincoln held to the theory that the southern states were still parts of the federal government. Instead of being at war they were merely in a state of rebellion. If this theory were sound, foreign governments would have no concern with the contest. There were a number of difficulties with Lincoln's interpretation, not the least of which was the refusal of Europe to accept it. From their point of view the struggle was a war between two belligerents. Lincoln involved himself in inconsistencies by proclaiming a blockade, an act which virtually recognized Confederate belligerency. Even if he had not taken that step, it would have been impossible to make European nations look upon the struggle as a mere insurrection. Their own interests were affected, and they knew better.

In making Seward his Secretary of State, Lincoln had been actuated and guided more by the necessities of Republican politics than by regard for the foreign service as such. Seward was the most powerful leader in the party and the administration had to recognize him by giving him the highest place in the Cabinet. In the main he proved to be an admirable man for the post. To be sure, it took him nearly two months to learn that he was not the President. Like many others he had assumed that Lincoln was an untutored country lawyer, whose elevation to the Presidency was due, not to his own merits but to the peculiar situation that had prevailed in 1860. As the recognized leader of the party, Seward took it for granted that he would continue to lead after March 4, 1861.

Lincoln and
Seward

On April 1, 1861, Seward submitted to his chief a document entitled "Thoughts for the President's consideration." In this essay he observed that no policy had yet been adopted, that the country needed one, so he had prepared one. For a domestic policy he urged that the emphasis be shifted from slavery to union or disunion. With reference to foreign affairs, he suggested that England and Russia be called sharply to account for alleged sympathy with the Confederates. Then he pointed out that Spain was showing interest in Santo Domingo, while France had designs upon Mexico. He would forestall danger in these quarters by sending an ultimatum to each. His purpose was to prevent foreign interference in American affairs. He admitted that his program might result in war, but he believed a foreign

Seward's
Proposals

war might bring the American people together once more and so benefit the country.

The consensus among writers on the subject is that Seward overstepped the limits of his position by giving such categorical advice to the President. Perhaps he did. He had certainly taken liberties with Lincoln's plans for Fort Sumter. But war had not actually begun, and there may have been some virtue in the proposal to inform European governments bluntly that the time was not appropriate for them to interfere in Latin-American affairs. Lincoln filed the document away. But this much-criticized list of "Thoughts" may have been the origin of one of Lincoln's policies, emphasis upon the Union rather than upon slavery.

Aside from the presentation of this document Seward conducted himself well. It was his advice which led Lincoln to appoint as minister to England Charles Francis Adams, son of John Quincy Adams. He had the ability of his celebrated father and grandfather, without their pugnacity and lack of tact. He was a clear-headed, even-tempered man, cool and distant as befitted a descendant of the New England Puritans, but able, in spite of these traits, to inspire confidence and to make friends. He arrived in London on May 13, 1861, nearly a month after hostilities had begun, and it fell to him to work against formal recognition of Confederate independence.

**Attitude of
England**

In the English Cabinet of the time Palmerston was Prime Minister, Earl Russell Secretary of State for Foreign Affairs, and Gladstone Chancellor of the Exchequer. Opinion in the country was divided. The upper classes were in sympathy with the South. The middle-class element was opposed to slavery, but it found the Union policy so lacking in energy that it hardly knew which side to take. English journalists in America were sending back reports of disunion and dissension. The correspondent of the *London Times* wrote: "Practically, so far as I have gone, I have failed to meet many people who really exhibited any passionate attachment to the Union, or who pretended to be actuated by any strong feeling of regard or admiration for the government of the United States in itself." If this feeling of indifference and uncertainty prevailed in America, it is not surprising that English opinion should have been puzzled. The continental nations usually got their information about American affairs from British sources, and at this time they were ready to let England take the initiative in dealing with the problem of the American war. England therefore became the central factor in the Lincoln-Seward foreign policy.

Jefferson Davis was convinced that in cotton he had a powerful weapon to use in dealing with foreign governments and he assumed that it would bring recognition without delay. On May 3, 1861, two of his unofficial agents in England had an interview with Russell, looking toward recognition. A few days later Dallas, Adams's predecessor, received what he interpreted as assurance that no action would be taken until the new minister should arrive. Both sides therefore prepared to wait a few days more.

But on May 13, the very day that Adams arrived in London, the British government published its proclamation of neutrality. This was a recognition of the Confederacy as a belligerent power, and a formal notice that Great Britain considered the contest between North and South as an international, rather than a domestic matter. It appeared that the proclamation had been issued hastily, in disregard of the statement made to Dallas only a few days before. The Lincoln administration interpreted the step as proof of a desire to have the status of the Confederacy settled before Adams could reach London.

The North generally resented this action and regarded it as a gratuitous announcement of hostility. Feeling ran high and the traditional bitterness against England was revived in full force. Historians, however, have been inclined to look upon the issue of the proclamation at that time as peculiarly fortunate because it forestalled further action for a considerable period. Had the British government waited a few months, until after the Battle of Bull Run, it probably would have gone further and recognized the independence of the South. Adams felt that the general atmosphere of the British government was one of distinct hostility toward the North, and in May, 1861, he wrote that his mission might be terminated at any moment.

That was the situation when the *Trent* Affair threatened to bring on war between England and the federal government. The Confederacy had decided to send commissioners to England and France respectively, to urge recognition and aid. James M. Mason and John Slidell were the men selected. Running the blockade, they took passage from Havana on a British mail steamer, the *Trent*. On November 8, 1861, the day after she left Havana, she was overhauled by a vessel of the American navy, the *San Jacinto*, Captain Wilkes commanding. The *San Jacinto* fired two shots to bring the *Trent* to a stop. Then a force of sailors and Marines boarded her, and removed Mason, Slidell, and their secretaries, in spite of the protests of the British officers. Wilkes took his prisoners to Fort Warren, in Boston harbor.

The "Trent"
Affair

On November 16, the news of the capture reached New York and it seemed that the whole country went wild with enthusiasm. Not only had two prominent Confederates been captured, who might be used as hostages, following the example already set by the Confederacy, but Great Britain had been publicly snubbed. Wilkes was welcomed with a series of receptions, dinners, and votes of thanks, some of which were adopted by the federal House of Representatives.

The news was received in England on November 27, where it aroused mingled feelings of wrath and amazement. An unknown Yankee naval officer had insulted the British flag. It mattered little that in the past England had never recognized the sanctity of any neutral flag, and that on occasions too numerous to mention she had violated neutral rights on the seas. A Cabinet meeting discussed the issue and the conclusion was reached that the seizure was in violation of international law and that reparation

must be made. Earl Russell drew up a dispatch to Lord Lyons, the British minister in Washington, which in its original form would probably have provoked war. Fortunately the message was softened at the suggestion of Queen Victoria. In its denatured phraseology it demanded the liberation of Mason and Slidell and "a suitable apology for the aggression." The government of the United States was to have seven days in which to make a reply. If none came, or if an unsatisfactory one were given, Lyons was to leave at once for London. The Admiralty prepared for war, eight thousand troops were sent to Canada, and the government prohibited the export of arms and ammunition.

**The American
Position**

In this particular case the American government was able to act in a spirit of graciousness which contrasted sharply with the traditional British attitude. On November 30, eighteen days before the ultimatum arrived, Seward wrote Adams that Wilkes had acted without instructions, and he hinted that his government would surrender the envoys. Adams imparted this news to Russell. Lincoln and Seward were both inclined toward moderation. "I fear the traitors will prove to be white elephants," Lincoln wrote. "We must stick to American principles concerning the rights of neutrals. We fought Great Britain for insisting by theory and practice on the right to do exactly what Captain Wilkes has done. If Great Britain shall now protest against the act and demand their release, we must give them up, apologize for the act as a violation of our doctrines, and thus forever bind her over to keep the peace in relation to neutrals, and so acknowledge that she has been wrong for sixty years." On December 26, 1861, Seward announced the surrender of Mason and Slidell.

American opinion in general supported the administration. Wilkes had done practically what British commanders had done during the period before the War of 1812, and the United States had always condemned such proceedings. The British demand for the surrender of Mason and Slidell therefore was justified by and consistent with the American interpretation of international law. Under these circumstances the question was easily settled. Wilkes might have taken the *Trent* before an admiralty court, but he had no right to stop the vessel and take off certain passengers, no matter who they were.

**Commerce
Raiders**

As the war progressed other causes of friction arose between the two countries, in which the United States was not the aggressor. Unable to provide themselves with commerce raiders, the Confederates turned to British ship-building firms, usually in Liverpool. Vessels were constructed in British yards, equipped in or from British ports, and started on their careers of destruction from neutral harbors. Adams kept the British officials fully informed of these matters, and had they been really eager to avoid giving offense they would have prevented the ships from leaving port. In March, 1862, the *Florida* was allowed to leave Liverpool, where she had been built for the Confederate service. After she got away the British Justice Cockburn

said that she should have been detained. The evidence in the case made it clear that the British authorities were not using due diligence in fulfilling their duties as a neutral. Before the British authorities made up their minds to act decisively, a second raider, the *Shenandoah*, embarked upon her career.

The most famous case was that of the *Alabama*, which, like the *Florida*, was constructed in Liverpool for the Confederacy. It was common knowledge that the vessel would be fitted out and equipped from a British base, and Adams laid evidence to prove it before the British foreign office. He demanded that the boat be seized before she left port. Probably the government would have acted in time in this matter had there not arisen an unfortunate tangle in the law offices of the Crown. On July 26, Adams's evidence had been turned over to Sir John Harding, the senior legal adviser. He had just become ill with some serious mental disorder, and the papers lay in his desk. His wife kept his condition secret for a few days, hoping for his recovery. On July 28 other officials took charge of his papers and on that very evening they gave orders to have the vessel detained. That same evening she slipped out of port, and when the orders arrived she was safely out at sea. She received her armament and supplies from British vessels and promptly began to destroy Union merchant shipping. After the war was over the British government paid heavily for her depredations.

In the summer of 1863 it seemed for a time as though an even more serious situation might arise. Adams learned that the Laird firm at Liverpool was building some ironclad rams for the Confederacy. As usual, he submitted his evidence, and asked that they be detained. On September 1, Earl Russell, who had been none too well disposed toward the Union, announced that he could find no proof that the boats were being built for the Confederacy. Nevertheless, even though proof was wanting, the Cabinet decided to prevent the departure of the rams. Before Adams was informed of their decision he read a sharp lesson to the foreign secretary. Warning Russell against letting any more vessels for the Confederate navy escape from English ports, Adams concluded: "It would be superfluous in me to point out to your lordship that this is war." But this time the vessels were seized before they could get away.

The decision of the foreign office to keep the rams in port marked the end of the British violations of international law in that particular field. By the summer of 1863 there was visible a marked change in British opinion. Hitherto sympathy with the South had been strong, and its strength was based in part upon the early manifestations of Confederate power. The Davis government seemed to be on the way toward victory, and its course attracted admiration and support. But after Gettysburg and Vicksburg the ultimate supremacy of the Union became certain. From that time on to the end of the war, British opinion was decisively with the North. As Owen Wister ironically put it: "The *London Times* and the *Saturday Review* had lately been quoting the Bible as sanction for slavery; for England dearly

Change of
English
Opinion

loves the Bible, but now many voices in London became sure that slavery was wicked; for England dearly loves success." Henceforth foreign problems were no longer really critical.

The Confederacy and England

Further evidence of the changing sentiment in England was to be seen in the official attitude toward Mason, the Confederate agent. By 1863 British official circles had become noticeably cool and Mason was made to feel this change. Mason himself became increasingly ill at ease, while Secretary of State Benjamin and President Davis complained bitterly at Mason's treatment. In his message to Congress on January 12, 1863, Davis characterized the policy of neutrality, adopted by all the European states, as "an actual decision against our rights and in favor of the groundless pretensions of the United States." The refusal to recognize the independence of the Confederacy was both unjust and injurious. If the governments of Europe had granted recognition, "the moral effect of such action would have been to dispel the delusion under which the United States have persisted in their efforts to accomplish our subjugation," and the war would have been shortened. Furthermore, the action of these same powers in refusing to allow either belligerent to bring prizes into their ports was damaging to the Confederacy. European acquiescence in the "paper blockade" was further evidence of partiality for the North, against which, Davis said, his government had sent "repeated and formal remonstrances."

In the following December, 1863, Davis informed his Congress that the relations between the Confederacy and foreign powers had not been improved and that, in some instances, the action of some European governments had been "positively unfriendly." "Without one historic fact on which the pretension can rest, without one line or word of treaty or covenant which can give color to title, the United States have asserted, and the British Government has chosen to concede, that these sovereign States are dependencies of the Government which is administered at Washington." In these ill-tempered outbursts there was not a suggestion of gratitude for the help which the Confederates had actually received in England; nothing but complaints because the British would not recognize the Confederacy and break the blockade.

Confederacy and France

The relations between the Confederacy and France, although at times somewhat dramatic, were in the end no more satisfactory to Davis than were those with Great Britain. Napoleon III expressed sympathy for the South and in 1862 he proposed that his own government, with England and Russia, join in proposing an armistice for six months. The British authorities refused to participate in any such project and Napoleon III would not make the venture alone. Early in 1863, according to Slidell, Napoleon III himself suggested a complicated arrangement whereby ironclad vessels might be constructed for the Confederacy, in French ports. The work was begun with the Emperor's knowledge and approval, but without formal contracts. These would be signed when Napoleon III gave his verbal assur-

ance that the vessels would be permitted to leave port, under the Confederate flag. But the Union victories of 1863 made the French ruler a bit more cautious, and he never gave the assurance. The Confederacy did not get the ships, Slidell wrote home some heated complaints with reference to the whole matter, and Secretary of State Benjamin accused Napoleon III of violating his pledged word.

Throughout the war there were always difficulties connected with the management of the blockade. From the beginning there was constant temptation to run the blockade. In the Confederacy there was a steady and increasingly insistent demand for manufactured goods and the successful blockade-runner was sure of a good profit. Moreover, with cotton at forty-two cents a pound outside the Confederacy, even the small cargoes which a blockade-runner could carry promised handsome returns. In spite of the steadily increasing efficiency of the federal navy, the practice continued almost until the end of the war. But after 1863, successful voyages were comparatively few.

Blockade
Running

It was common for traders engaged in supplying the Confederacy to carry clearance papers for Nassau in the Bahamas, or for Matamoras in Mexico. They might put into those ports, or they might not. In any case the Confederacy was their ultimate and real destination. In order to stop the practice, vessels of the Union Navy began to seize boats bound for these neutral ports, provided there was reason to believe that their clearance papers did not tell the whole truth, and that their cargoes were really going to some southern port. To justify the seizure of neutral vessels, plying ostensibly between two neutral ports, the United States Supreme Court revived the doctrine of continuous voyage. That is, in deciding whether a cargo ought to be condemned or not, the determining factor was the ultimate destination, rather than the place named in the ship's papers. A large consignment of arms, cleared for Nassau, was destined for the Confederacy, because Nassau was entirely at peace. Among the cases that reached the Supreme Court, the *Dolphin* and *Bermuda* furnished important precedents, because the Court sanctioned the seizure of both vessel and cargo. In the case of the *Springbok* the cargo was condemned, while the vessel was freed, because there was no evidence of fraudulent action on the part of the owners.

NAPOLÉON III AND MEXICO

These various difficulties with England were only a part of the burden which Seward as Secretary of State had to carry during the war. While the hands of the United States were tied, Napoleon III of France began to experiment with a colonial scheme in Mexico. The story of his unfortunate puppet Maximilian is an interesting episode in the career of the theatrical adventurer of the Revolution of 1848.

The preference which Mexico had for revolution as a substitute for orderly elections has been mentioned before, in connection with Texas. After 1836,

Revolutions
in Mexico

her habits in this respect became worse instead of better. By 1857, her average was nearly one a year; at least she had thirty-six different governments in as many years, and nearly all of them had been preceded by revolution. In 1857, after the final disappearance of Santa Anna, the Mexicans adopted a new constitution, and a president was elected with almost no opposition. He was duly inaugurated on December 1, for a term of four years. Inside of a month, he had been driven from the country. These overthrows in the government were the results, not of popular uprising, but of factional disputes within the small ruling class.

According to the constitutional provision covering presidential vacancies, the next in line for the doubtful honor was Benito Juarez. Juarez was an Indian, an able leader who had real interest in the Mexican people. He was unable to restore order and for two years Mexico was plunged in hopeless confusion. Outrages against American citizens and personal insults to Forsyth, the American minister, compelled the United States to sever diplomatic relations. These were restored in 1859 and from that year to 1867 the United States recognized the Juarez government.

In December, 1860, Juarez captured Mexico City and began a series of attacks upon the strong clerical party. Aside from his domestic difficulties, which would have discouraged any but one born to chronic disorder, Juarez was troubled with foreign problems. His predecessors had borrowed money from any bankers who would lend to them. Their understanding of public finance was that whatever they got they spent to keep themselves in power, and then passed the obligations to pay over to their successors. After the volume of this indebtedness had piled up to a point where the prospect of payment looked dubious, these foreign bankers appealed to their governments for help.

Financial
Claims

By 1861 Great Britain, Spain, and France were insisting upon a settlement of various claims which they had against Mexico. England and Spain were not only concerned about the non-payment of principal or interest to some of their respective bankers but were also insisting upon satisfaction for property destroyed and lives lost. The French grievances were less substantial. One claim was based upon a \$15,000,000 bond issue, issued through a Swiss banking firm. For bonds to that amount the thrifty Swiss house had turned over to one of the ephemeral Mexican governments the sum of \$750,000. Then the bonds were turned over to some French bankers, and the French government insisted upon the payment of the whole \$15,000,000. In addition, claims to the extent of \$12,000,000 more were trumped up, on account of alleged injuries to French subjects.

Juarez was naturally in no position to meet these claims; in fact he was inclined to question the binding force of all financial engagements made by his predecessors. Of course, in making the loans the bankers knew that they were indulging in wild gambling; Mexico had never enjoyed enough lasting stability to justify expectations of payment. And yet these Europeans gravely

declared that Mexico must play the game according to the rules accepted among firmly established governments. According to these rules the Mexican republic, not merely the ruling group of revolutionary adventurers, was responsible for these debts.

In July, 1861, Juarez decreed that payments to all foreign bankers would be suspended for two years. The British and French ministers demanded an immediate revocation of the order, and when this was denied them, they promptly broke off diplomatic relations. The Spanish government had taken the same step previously. This threat of a European triple alliance against Mexico boded ill for the Monroe Doctrine, and Seward tried to ward off actual intervention. To that end he suggested to Juarez that the United States would assume responsibility for paying the interest on the whole funded debt of Mexico for five years, provided certain securities were given. These, Seward said, should be a mortgage on the public lands and mineral rights in Lower California, Chihuahua, Sonora, and Sinaloa. If Mexico should not reimburse the United States within six years, the American title to these properties would become absolute.

The validity of this arrangement was made conditional upon a British and French agreement not to enforce payment, provided the Senate would ratify Seward's proposed plan. But the European governments looked upon the proposal as a thinly veiled arrangement for the seizure of Mexican territory by the United States, and they were determined to have a hand in any such profitable game. Furthermore the United States Senate looked coldly upon Seward's plan for mortgaging Mexico into good financial behavior, so the proposal failed to work.

The rejection of Seward's plan left the parties where they were in the beginning. Thereupon, in October, 1861, Great Britain, Spain, and France signed an agreement, in which they declared that the conduct of Mexico had compelled them to act, for the protection of the property and persons of their subjects. The three powers announced that they were seeking no acquisition of territory and no special advantages. They also said that they had no intention of impairing the right of the Mexican nation to choose its own government. They asked the United States to acquiesce in their proposed measures, but at the same time they made it plain that their action would be in no way influenced by an unfavorable reply.

European
Intervention

Seward said that his government could not become a party to the agreement, because it was contrary to her custom to enter alliances, and because she did not feel inclined to resort to force in Mexico at that time. He did not deny the right of the three powers to intervene, but he expressed satisfaction at the assurance that there was no intention of impairing the sovereignty of Mexico.

Early in 1862 a combined English, French, and Spanish force took possession of Vera Cruz. According to the original plan, only the coast cities were to be seized, but once French troops had landed, Napoleon III pro-

posed the capture of Mexico City, with the hint that the allies might reconstruct the government of Mexico to their own liking. After a month the English and Spanish governments withdrew from the enterprise, thereby leaving the French a clear field. The reason for this break was the alleged violation of the original agreement by the agents of Napoleon III.

Maximilian's
Empire

By the summer of 1863 French troops, heavily reinforced, occupied Mexico City. Then the French summoned a carefully picked convention of prominent white Mexicans, representing chiefly the powerful clerical party. The convention announced that Mexico desired a monarchy, with a Catholic emperor for a sovereign. An aspirant for the post was found in Maximilian of Austria, the brother of Francis Joseph. The Mexican people, that is the Indians, were not consulted as to their preferences in the matter, but they rarely had been in previous overturns. Hitherto one Mexican faction after another had fought its way into possession of the government, regardless of the popular will. These transitory governments had been interested primarily in getting hold of the public treasury, with the hope of borrowing on Mexican credit. Maximilian was installed by a faction, as his predecessors had been, but in this particular case the faction had the backing of the powerful government of Napoleon III.

Maximilian himself entered upon his role of play-emperor of Mexico in 1864, and the presence of 35,000 French troops inspired fear, if not respect. He had widespread support among the white groups but the Indians would not accept his authority. From 1864 to 1867 Juarez kept up constant guerilla warfare, but he was not strong enough to recover control of the government. At the close of the American war Seward prepared to force Napoleon and his tool out of Mexico, and he was prepared to talk the only language that Napoleon could understand, the language of superior force. The United States had the federal army of a million veterans, able to annihilate any force that Napoleon could send across the Atlantic. Furthermore Seward knew that Napoleon had disastrously bungled his European policy. The French had been watching Prussia with ill-concealed alarm, and when Bismarck prepared to move against Austria in 1866, Napoleon needed to be on his guard; it might be his turn next. Seward informed Napoleon that the French troops could no longer be tolerated in Mexico. The Emperor agreed to take them out, if the United States would recognize Maximilian. Seward refused. Napoleon then, in 1866, agreed to withdraw them all by the following year, and he did so. When Francis Joseph hinted at Austrian support for his brother, Seward silenced him by a plain threat of war. When the French troops left, Maximilian might have saved his life by going with them, but he felt that he owed something to his associates and supporters. His decision to remain put him at the mercy of Juarez, and on June 19, 1867, he was shot.

This attempt to establish a French protectorate over Mexico was the first definite challenge to the Monroe Doctrine which the United States had been

called upon to face. The episode attracted widespread attention, and protests against the project were registered in newspapers, party platforms, and in congressional resolutions. Fortunately the test happened to come at a time when the United States was able, if necessary, to resort to vigorous action, and when European complications compelled Napoleon III to display more common sense than usual in his foreign policy. Because of the seriousness of the principle at stake, the country was justified in its feeling of elation at Seward's victory. For once at least the prospect of a renewal of European control over Latin America had been decisively checked. Incidentally, the ease with which France conquered Mexico, while the United States was concerned with the Civil War, shows that the Atlantic Ocean alone was not a barrier against invasion.

Bearing on
the Monroe
Doctrine

In 1862 and 1863, when Confederate officials were still hoping for French intervention in their cause, they ostentatiously made a point of endorsing Napoleon's policy in Mexico, even going so far as to express approval of his choice of the Austrian archduke, Maximilian, as the ruler there. In his message to Congress of December, 1863, Davis referred to the "lively interest" felt in consequence of this venture in imperialism. "Although preferring our own Government and institutions to those of other countries, we can have no disposition to contest the exercise by them of the same right of self-government which we assert for ourselves. If the Mexican people prefer a monarchy to a republic, it is our plain duty cheerfully to acquiesce in their decision and to evince a sincere and friendly interest in their prosperity." The Confederate Congress cooperated with the President to the extent of authorizing a diplomatic mission to the new government, and Davis appointed General William Preston. But these friendly overtures, obviously a bid for favors in return, proved futile. By the time Napoleon's ardor for the Confederate cause had cooled, Maximilian, en route to Mexico via Paris, refused to accord an interview to Slidell; on arriving in Mexico, he would not receive General Preston. Thereupon Davis turned against the French and their representatives in Mexico.

Confederate
Attitude
Toward
Mexico

Davis explained these developments in his various messages to Congress. But in voicing his feelings, instead of coming out with sharp and vigorous denunciations of these foreign officials, he read them a lesson on their duties. "No such action has been taken by the Christian natives of Europe," he said in November, 1864, "as might justly have been expected from their history, from the duties imposed by international law, and from the claims of humanity." Then he went on to discuss the obligation of the European powers to recognize the Confederacy, and to charge them with disregard of a "just, humane, and Christian public duty." Their denial of Confederate rights he characterized as unjust and discriminatory. He and his people wanted only recognition, he declared, not intervention; "we know ourselves fully competent to maintain our own rights and independence against the

invaders of our country." In conclusion he held the powers of Europe partly responsible for the heavy loss of life then going on. This message serves to illustrate once more Davis's conviction of the righteousness of his cause, and his belief that all who refused to cooperate with him were guilty of violating plain moral precepts. The end of the war found him still complaining.

Non-military Problems and the End of the War

ECONOMIC DEVELOPMENTS AND POLICIES

DURING the Civil War, as in wars generally, the government found it easier to keep the ranks filled with men than to raise the necessary funds to carry the contest through. When the glamor of military service fails to make the country respond, a government can generally resort to conscription. But it is not as easy to conscript wealth as men. It can be done, but always at the risk of upsetting business and wiping out private incomes. Convinced that the war would be short, Congress at first preferred loans to taxes so that war costs could be shifted to later generations. In July, 1861, Chase, the Secretary of the Treasury, was authorized to borrow \$250,000,000. At the same time Congress levied a direct tax of \$20,000,000, imposed an income tax of 3 per cent on incomes above \$800, and increased the tariff rates. From time to time Congress either raised the rates on taxes already in existence, such as the tariff, or imposed new taxes in the form of stamp duties. In 1862 the income tax was raised to 3 per cent on incomes from \$600 to \$10,000, and to 5 per cent on higher incomes; later these rates were raised again to 5 and 10 per cent, respectively. It took time to realize the returns from these various sources, and in 1863 Congress bridged the gap by authorizing the issue of legal tender, non-interest-bearing Treasury notes. These were known as greenbacks. The amount issued at first was \$150,000,000, but before the end of the war the volume outstanding had been increased to \$449,000,000. These followed the inevitable course of unsecured issues of paper money, and in 1864 when the Confederate General Early threatened Washington, their value dropped to thirty-five cents in gold. Throughout the war they fluctuated, as reports from the front were favorable or otherwise.

Paying for
the War

In the course of the war the government raised approximately \$667,000,000 in taxes, \$2,140,000,000 in loans, and the amount given above in greenbacks. Because the bonds did not sell as rapidly as necessary, in February, 1863, Chase induced Congress to pass the National Banking Act. This provided for the incorporation of banks throughout the country, the note issues of which were to be secured by government bonds. Every bank chartered under the act was required to purchase bonds equal in amount to at least one-third of its paid-up capital. These were deposited with the Treasurer of the United States, and held by him. Then the banks were allowed to issue

National
Banks

notes equal in amount to 90 per cent of the market value of the bonds. This measure therefore provided a much-needed currency, and at the same time created a dependable market for the loans. In 1865 state bank notes were driven out of circulation with a 10 per cent tax.

This bank note currency was fully secured, as long as the federal government survived, and it proved to be particularly helpful after the greenbacks drove specie out of circulation. From the middle of the war on to 1879 the ordinary citizen saw no coin. Even the fractional silver currency disappeared, and its place was taken by fractional notes, known in the picturesque language of the day as "shin plasters." By these various expedients the Union raised the necessary funds for pushing the war through to a satisfactory ending.

**Agricultural
Prosperity**

The success of federal finance was made possible by the extraordinary business "boom" which the North enjoyed during the war. Once the initial shock was over, business promptly recovered and then it entered upon a period of expansion that was not checked until the great panic of 1873. This prosperity extended to all parts of the Union, and affected every phase of its economic life. The nation was still primarily agricultural, and the heavy increases in farm produce was a material factor in winning the war. There were good harvests every year, especially of wheat and corn, and in 1862 and 1863 there were "bumper crops" of wheat. In 1862 the Union States raised 177,000,000 bushels of wheat, 4,000,000 more than the whole country had raised in its best year before the war.

This agricultural activity was made possible by a number of factors. There was no serious shortage of labor because of the widespread introduction of labor-saving machinery. With the help of the machines women could take the place of men in the fields, and they did so, especially in the West. Markets for the heavy agricultural output were found in various quarters. The army required more food than would have been necessary for the same number of men in civil life because of the wastefulness, inevitable and otherwise, inseparably connected with military life. There were also increasing demands for American wheat abroad. In 1861 crops failed all over Europe, while England suffered a second failure the next year. In 1862 the United States exported sixty million bushels of wheat, three times as much as the average annual export for the preceding ten years.

**Industrial
Expansion**

The manufacturing sections were adding their increased demands for food, while every branch of industry was undergoing a remarkable expansion. The woolen mills were apparently the most flourishing of all. They were rushed to fullest capacity throughout the war, and for those days the profits were enormous. One manufacturer said he was then making \$2,000 a day. The dividends paid by the woolen mills ranged from 10 to 40 per cent. Under the circumstances mushroom factories sprang up wherever there was available water power. In some parts of Vermont it is possible now to

President Davis informed Congress, enabled the government to borrow money without interest. The notes were legal tender and they were convertible, at par, into 8 per cent Confederate bonds. The bonds were payable in coin, theoretically; as a matter of fact they were never paid at all. Before the end of the war the Davis government had issued at least \$1,000,000,000 in notes. At the beginning of 1863 the Confederate paper dollar was worth thirty-three cents in gold, by the end of that year five cents, and in April, 1865, one and six-tenths cents. Flour cost \$1,000 a barrel, coffee \$40 a pound, wood \$5 a stick. When the farmers refused to sell produce for this practically worthless paper, the government seized the supplies it needed. This rapid decline of Confederate credit was revealed again in the market value of the bond issues. The first loan of \$15,000,000 was quoted at ninety in 1862, and at five or lower in 1864. Early in 1863 the Confederate Secretary of the Treasury, Memminger, arranged through the banking house of Emile Erlanger in Paris for a loan of \$15,000,000 at 7 per cent. The principal was to be paid in New Orleans cotton six months after the end of the war. Erlanger bought the bonds at seventy-seven and sold them in England at ninety-five and a half. So enthusiastic were the English friends of the Confederacy that they oversubscribed the loan three-fold in two days. After Chattanooga the bonds dropped to thirty-seven and with the final Union victory they dropped to zero. As Lord Salisbury put it, the English nobility had bet their money upon the wrong horse.

Taxation and
Confiscation

As for taxation, the southern states could not adopt the drastic measures required by the war; in fact some issued bonds and treasury notes of their own, thereby increasing the indebtedness and undermining still further the financial stability of the whole South. The Congress of the "permanent" Confederate government found it impossible to devise an effective policy of taxation. In his message of December 7, 1863, Davis urged upon Congress the adoption of a comprehensive plan designed to reduce the volume of notes in circulation, to provide for the redemption of the public debt, and to put the financial structure as nearly as possible on a specie standard for the duration of the war. But an adequate system of taxation presupposed a regularity of income among the people; this did not exist, and the financial situation of the Confederacy became steadily more desperate.

In connection with this effort to find means for prosecuting the war, Congress, on Davis's recommendation, enacted two laws, both of which aimed at the confiscation of property for Confederate purposes. The first of these, an impressment act, passed in March, 1863, authorized the President to appoint commissioners for each state; these officials were empowered to fix prices for all commodities bought by the government. The second, passed a month later, authorized a tax in kind of one-tenth of all farm produce in the Confederacy. Necessary as these measures were, even Davis himself, in his message of December, 1863, described this system of supplying the

army as "unequal in its operation, vexatious to the producer, injurious to the industrial interests, and productive of . . . discontent among the people. . . ."

CONSTITUTIONAL PROBLEMS

Aside from the military and financial problems, both governments had to contend with difficulties that rarely if ever trouble a country in time of peace. The federal government underwent a vast increase in power, and numerous critics resented the change. Part of this transformation was permanent. The war called for the exercise of national authority in all directions. Congress levied direct taxes, endowed agricultural colleges, gave the Union Pacific Railroad its start, and pursued policies which would have scandalized the exponents of states' rights. As a result of this widespread assertion of federal authority in military matters, finance, banking, and education, the old idea of state sovereignty had to give way. At no time since 1865 has there been any doubt concerning the supremacy of the central government.

Increase of
Federal Power

In past years, when governments even on the continent of Europe were operated on the basis of at least a semblance of democracy, and when the arbitrary exercise of power aroused widespread complaint, it was customary to describe Lincoln's administration as a dictatorship. That was before the days of the real dictators, when few people had any idea of what tyranny might be. To be sure, Lincoln did order the suspension of the privilege of *habeas corpus* and disloyal citizens were arrested. But in comparison with recent demonstrations of arbitrary power in Europe, the Lincoln administration was the very example of freedom. There was no suppression of Congress, and the members of that body were just as free to criticize the administration as ever. Except in the border states, there was no interference with elections. Certainly there were no executions of political prisoners. The Union party was not the only political party, and there were no storm troopers, salutes, special symbols, or any other of the grotesque trappings of the conquerors who overran Europe in 1940-1941.

As compared with similar efforts elsewhere and at other times, Lincoln's policies of suppressing disloyal opposition to the government in time of war seemed more than reasonable. From the beginning of the war, when the pro-Confederate mob in Baltimore fired upon the Sixth Regiment from Massachusetts and the governor of Kentucky tried to proclaim neutrality between the belligerents, the administration had to evolve a policy for check-mating the enemies of the Union within the Union itself. Opposition was not confined to the border states. Throughout the North there were scattered elements of a peace party. In this group were to be found objectors to war in general, because of ethical or religious convictions, and objectors to this particular war, on the ground that the federal government had no right to coerce the states. Finally there were the "Copperheads," openly

Opposition to
the War

sympathetic with the Confederacy, eager to harass the Lincoln administration, rebels in thought, if not in act.

By their unprovoked attack upon troops in federal service, the zealous Marylanders had come dangerously close to treason. Lincoln felt that by their illegal and unconstitutional acts they sacrificed all claim to the protection of the law, and he prepared to invoke extraordinary powers to restrain them. On April 27, 1861, he authorized General Scott to suspend the writ of *habeas corpus* along the line of troop movements between Philadelphia and Washington. On July 2, by another order to Scott, he extended this military area to New York, and on October 14, to Bangor, Maine. On September 24, 1862, the President issued a proclamation, declaring that "disloyal persons are not adequately restrained by the ordinary process of law from hindering the enlistment of troops and from giving aid and comfort in various ways to the insurrection." Consequently, he declared, all rebels and insurgents in the Union, and all persons who interfered with the enrollment of troops, should be subject to martial law, and liable to trial by military tribunal; also that the writ of *habeas corpus* should be suspended in respect to all persons imprisoned by military authority.

Lincoln found his justification for these orders in the Constitution, which gives a negative power to suspend the writ of *habeas corpus*. There was, however, considerable fault-finding, especially by those who felt that Congress alone could set aside legal safeguards. In March, 1863, therefore, Congress gave the President authority to do what he already had done. Strengthened by this proof of legislative approval, Lincoln, on September 14, 1863, proclaimed a general suspension of the writ of *habeas corpus*, in case of all prisoners held as spies, aiders or abettors of the enemy, deserters from Union forces, resisters of military conscription, or "for any other offense against the military or naval service."

This removal of time-honored safeguards of individual liberty laid Lincoln open to bitter adverse criticism. In denying the rights of free speech and a free press, his opponents said, he was guilty of destroying the very foundations on which the government rested. Fortunately for the cause of the Union, Lincoln was not disturbed by these complaints, and he always found convincing arguments to justify his own course.

Let the Union be destroyed, he declared, and not only would the Constitution fall with it, but also the very privileges and rights about which the peace party was so insistent. By a merely temporary encroachment on some of those rights he might save the Union and the whole structure of privileges and advantages erected upon it. His duty, as he saw it, was to preserve "by every indispensable means, that government—that nation of which the Constitution was the organic law." Under conditions then existing, "Measures otherwise unconstitutional might become lawful by becoming indispensable to the preservation of the Constitution through the preservation of the nation." Measures which the President could not take in time of peace be-

came permissible in time of war, because, as he saw it, "the Constitution invests its Commander-in-Chief with the law of war in time of war." And again, he declared that "certain proceedings are constitutional when, in cases of rebellion or invasion, the public safety requires them, which would not be constitutional when, in absence of rebellion or invasion, the public safety does *not* require them. . . ."

Lincoln assumed in various instances that the safety of the state required the incarceration of a number of people, and they were promptly arrested. These arrests were made without warrants, usually by federal marshals or military officials, and in many cases no formal charges were ever brought, and no trial took place. The length of imprisonment depended upon circumstances. These imprisonments were made on grounds of suspected treason, aiding the Confederacy, acting as Confederate spies, and harboring deserters. "Disloyalty" was the reason given for imprisoning certain prominent Democrats.

Altogether more than thirteen thousand individuals laid themselves open to charges of one sort or another, so that they were subjected to arbitrary arrest. Many of the victims were so inconspicuous as to attract no particular attention, but there was one striking exception. Clement F. Vallandigham of Ohio, nationally known Democratic politician, made himself notorious by his attacks upon Lincoln's war policy. As long as he was a member of Congress he could talk with impunity, but his term expired in 1863. In May of that year General Burnside ordered his arrest on the charge of obstructing enlistment in the army. Vallandigham was tried by court martial, found guilty, and sentenced to imprisonment for the duration of the war. Immediately he became the hero of the disaffected, a martyr to the cause of free speech and popular government. Then, when the political enemies of the administration and the adherents of the peace party generally were preparing to capitalize Vallandigham's martyrdom, Lincoln ruined their scheme by making their victim merely ridiculous. Instead of keeping the man in prison, the President sent him, under a flag of truce, into the Confederate lines. With the cordial cooperation of his new hosts, Vallandigham left the South and retired to Canada, entirely free, but still more of a joke than a hero. Then he became the Democratic candidate for governor of Ohio, and directed his campaign from Canada. Perhaps the attitude of his state can best be seen in the hundred thousand majority which it rolled up against him. After this abysmal failure he quietly returned home.

When a meeting of Democrats in New York censured the President for his arbitrary course, with particular reference to Vallandigham, Lincoln replied that the man had been punished because he had endeavored to prevent the raising of troops and to encourage desertion from the army. Desertion in time of war, he declared, must be punished by death. "Must I shoot a simple-minded soldier boy who deserts, while I must not touch a hair of a wily agitator who induces him to desert? . . . I think that . . .

to silence the agitator and save the boy is not only Constitutional but withal a great mercy."

Control of
Opinion in
Maryland

One of the most extreme cases of the suppression of individual freedom occurred in Maryland, early in the war. In July, 1861, the administration ordered the arrest of the police commissioner of Baltimore. When the national House of Representatives asked the President for a statement of his reasons for this measure, he replied: "I have to state that it is judged to be incompatible with the public interest at this time to furnish the information called for by the resolution." The following September, under orders of Secretary of War Cameron, General Dix arrested ten members of the legislature of Maryland and one member of Congress. Subsequently General Banks arrested nine more of these state legislators. In Maryland, Missouri, and Kentucky troops supervised elections, to discourage voters who were opposed to the administration. According to one report, in a Maryland election of 1863, all the polling places were guarded by double lines of troops, and the voters had to pass down this line to vote. The ballots for the different tickets were printed on paper of different colors, and voters who called for the "rebel" ticket were promptly arrested.

This policy inevitably furnished grounds for complaint against Lincoln. But he was convinced that his course was right, and this conviction enabled him to endure adverse criticism with at least the appearance of equanimity. As he told his opponents so often, his primary task was to save the government. The existing war imposed extraordinary responsibilities upon him, but at the same time it gave him extraordinary powers. As he wrote to Governor Seymour of New York, who had protested against the new policy of conscription: "My purpose is to be in my action just and constitutional, and yet practical, in performing the important duty with which I am charged—of maintaining the unity and the free principles of our common country."

Censorship

Other manifestations of arbitrary power were to be found in the censorship of telegrams and newspapers. Newspapers were forbidden to carry important news regarding proposed troop movements, but sometimes they did so in spite of the obvious impropriety. Papers which indulged in too severe criticism of the President were suppressed, and sometimes the editors were arrested; in other cases mailing privileges were denied. Occasionally generals in command assumed the responsibility of stopping publications. Burnside refused to allow the New York *World* to circulate within his department, and he suppressed the Chicago *Times*. Lincoln, however, revoked his order regarding the *Times*. Between three and four hundred papers were suppressed, for longer or shorter periods, during the war.

In May, 1864, Lincoln ordered the arrest of the editors, proprietors, and publishers of two New York newspapers, the *World*, and the *Journal of Commerce*, because they published "a false and spurious proclamation," of a treasonable character, "designed to give aid and comfort to the enemies of

the United States." At the same time the President suspended the publication of these two papers until further orders.

This limited application of the principle of censorship raises the question as to what the government did in the way of propaganda, that is, efforts designed to create and maintain a favorable opinion. Beyond the speeches of Lincoln and his associates in the government and in Congress, there seems to have been very little that was official. But private agencies took up the work of spreading the gospel of the Union cause. The best-known organization of this sort was the Union League, which was put into operation at Philadelphia in 1862. In the course of a few months Leagues were organized in Baltimore and Washington, New York and Boston, and as far west as San Francisco. Before long there were branches in eighteen states.

Union, or
Loyal League

An example of League activity may be found in the published report of a great convention of county Loyal Leagues at Utica (May, 1863), called together by the Loyal National League of New York. According to the authorized report of these proceedings, there were two thousand delegates present, representing all but two counties in the state: Essex and Washington. The immediate purpose of the convention was to create a state organization of Loyal Leagues, in order the better to promote "unconditional loyalty to the Government of the United States . . . unwavering support of its efforts to suppress the Rebellion, and to spare no endeavor to maintain unimpaired the National Unity, both in principle and territorial boundary. The primary object of this League is, and shall be, to bind together all Loyal Men, of all trades and professions, in a common Union, to maintain the power, glory, and integrity of the Union." Or, as the purpose was defined by the chairman: "let each one of us here go to the work set before us of organizing loyalty, and disciplining patriotism, fulminating their reason and arguments, with the force of lightning from Heaven. . . ."

In due time the convention came around to the discussion of the resolutions which are always expected of such gatherings. The first ones, calling for the suppression of the rebellion, for the establishment of Loyal Leagues throughout the country, and for the suppression of partisan political activity, were approved with no opposition. Then came one dealing with the suspension of the writ of *habeas corpus* which provoked a long debate, resulting in so much disagreement that the convention dropped the question.

In an address to the American people the convention announced its determination "to see that the truth is brought to the door of every man, rich or poor, educated or ignorant, in the length and breadth of this land. By public speeches, lectures, and addresses, by private conversation, by the careful and thorough distribution of loyal documents, and by the spread of all loyal journals" they would encourage people to support the war. With the appointment of a State Executive committee of sixteen the convention closed its deliberations.

Perhaps the crowning example of so-called arbitrary power was the con-

Military
Conscription

scription act of 1863. Under this measure men between the ages of eighteen and forty-five were declared eligible for military service, except post office and railroad officials, clergymen, teachers, and those physically disabled. The system of drawing was somewhat peculiar. Every Congressional district had to supply a certain quota. If enough men in a district volunteered to fill this number, none was drafted. Where volunteering was not sufficient, the names of all those liable to service, on separate strips of paper, were put into a box, and those drawn were required to serve. But a drafted man was permitted to hire a substitute, the cost of which ranged from three hundred to fifteen hundred dollars. Enterprising insurance companies were ready to insure men against draft, and did so until the government put a stop to the practice.

This draft law aroused severe criticism, and in New York it was the occasion of serious riots, lasting several days. There many of the draftees were Irish immigrants, not particularly interested in slavery. According to some estimates, more than a thousand lives were lost. There were minor riots in Jersey City and in Boston. Elsewhere the work of enrollment was carried through without unusual difficulty. By relieving the President and his generals of any anxiety on the score of men, the conscription measure proved to be one of the important factors in the Union victory.

In the Confederacy President Davis found himself confronted by many similar problems, and the necessity drove him into policies at least as arbitrary as any of those adopted in the Union. His government suspended the writ of *habeas corpus*, adopted conscription laws, and authorized the seizure of private property for military purposes. These measures resulted in widespread criticism of the Confederate administration.

Opposition to
the Confederacy

These critics complained of the destruction of states' rights and of the establishment of a military despotism. Then there were certain influential newspapers, particularly the Charleston *Mercury* and the Richmond *Examiner*, which regularly opposed the administration. To these foes of the government there should be added some of the local political leaders, who placed the preservation of states' rights above the Confederate cause. The most conspicuous of this group was Governor Brown of Georgia, the most outstanding opponent that Davis had anywhere in the Confederacy. Brown, with the avowed support of Linton Stephens, together with his more famous brother, Vice-President Alexander H. Stephens, formed a sort of Georgia triumvirate for the purpose of blocking policies of which they could not approve. They fought the idea of conscription from beginning to end. While Sherman was threatening Atlanta, Brown fell back upon the authority of the state to protect citizens of Georgia from conscription. He succeeded in keeping at least eight thousand men out of the army at this time. After Sherman had captured Atlanta, Brown sent word to General Hood that ten thousand Georgia militia men then serving under him must return to their homes, and by an executive proclamation he gave them a month's leave. Next he

threatened to call home all the Georgians then serving with Lee in Virginia. Again he declared that if necessary he would fight the Confederacy as well as the Union, in order to protect the rights of his state. While Brown was the most vociferous and the most extreme of the state executives in the opposition, others shared his frame of mind.

These Congressmen, editors, and state leaders who continually harassed Davis found almost solid backing in the upland region of the South. The mountaineer whites, individualistic in their political philosophy, had never been any too well disposed toward the Confederacy. In western Virginia and eastern Tennessee Union sentiment had predominated when the war began. Later, in parts of North Carolina, Georgia, and even in Davis's own state of Mississippi, the traditional hostility of the small farmer toward the great plantation owner reasserted itself in the form of defiance of the Confederacy. Wearing by war, embittered over the confiscation of their property, and maddened by conscription, these men worked to end the contest. Their feelings found expression in the oft-quoted slogan: "It's a rich men's war but a poor men's fight."

DEMANDS FOR EMANCIPATION

While Lincoln found himself attacked from one quarter by those who resented his policy of dealing with hostile criticism, he was attacked from another by the abolitionists. They looked upon the war as an opportunity for ending slavery and they resented Lincoln's unwillingness to move fast enough. There was at the same time an anti-abolition group, so large and influential that Lincoln could not ignore it. The Republican party was not agreed upon the policy, and the Cabinet was sharply divided. Lincoln's position became even more uncomfortable when some of the Union generals began to set slaves free. General Frémont tried this experiment first in Missouri. In this instance the problem was complicated by two factors: Frémont's amazing popularity and his equally amazing capacity for graft and corruption. He gave a free hand to unscrupulous jobbers in supplies for the army. Reports of the corruption were so numerous and so damaging that both the President and the House of Representatives sent investigators to St. Louis for more complete details. They found abundant evidence of Frémont's shortcomings. As one of the investigators wrote: "Such robbery, fraud, extravagance, speculation . . . can hardly be conceived of. There has been an organized system of pillage right under his eye." This was bad enough, but Lincoln found the general's other offenses even more disturbing. In August, 1861, he issued a proclamation threatening death to Confederates who might fall into his hands. Then he proclaimed freedom to all slaves in his district, and established a "bureau of abolition."

Military
Abolitionists

Lincoln objected to both orders, and he directed Frémont to permit no shooting of prisoners without specific consent from Washington. At the same time, he asked Frémont, privately, to withdraw his proclamation on

slavery. Frémont refused to comply with the request, so Lincoln ordered him publicly to rescind it. Then, in October, Lincoln relieved Frémont of his command.

This attempt to free the slaves in Missouri raised a troublesome question, which Lincoln did his best to keep in the background. Whenever possible he had consistently avoided the issue, on the ground that the war was primarily concerned not with slavery but with the preservation of the Union. In any case, he declared, the liberation of the slaves was a political question, "and not within the range of military law or necessity." Commanders might utilize the labor of slaves, but when the need of their services was over, their status was fixed by existing laws. Their permanent future condition, he said, "must be settled according to laws made by law-makers, and not by military proclamations."

In May, 1862, General Hunter, in command at Port Royal, South Carolina, followed Frémont's example, and declared all the slaves in Georgia, Florida, and Louisiana "forever free." Lincoln curtly declared that "no commanding general shall do such a thing . . . without consulting me." He followed this announcement with a general order, declaring Hunter's proclamation "altogether void." If circumstances should make emancipation desirable as a war measure, he said, the Commander-in-Chief, not the generals in the field, would issue the necessary regulations.

Lincoln could annul these orders of Frémont and of Hunter, but the problem of slavery still remained. During the first year of the war, by stressing the cause of the Union, the President had been able to keep emancipation in the background. But by 1862 he could do this no longer. The abolitionists had their adherents and their mouthpieces among the newspapers, in the army, and in Congress; as the war continued they became more and more insistent. Slavery must go. This group may have been a minority in the country at large, but its facilities for making itself heard were more than sufficient to compensate for any inferiority in numbers. Again, as long as emancipation was not one of Lincoln's main objectives, the North could never be certain of English sympathy. But once he decided to overthrow slavery, he would secure the important moral support of the powerful anti-slavery liberal group in that country. Against these possible gains, Lincoln had to consider the almost certain loss of support in the very quarters where his advocacy of the Union had brought him strength. Not all the northern states were abolitionist in sentiment, while the border states were still pro-slavery. These were practical considerations which the abolitionists could overlook; the President could not ignore them.

Horace Greeley, generally an extremist, who had urged the country to let the southern states go in peace, now came out as one of the leaders of the immediate emancipation group. In August, 1862, he addressed an open letter to the President, calling it "The Prayer of Twenty Millions":

On the face of this wide earth, Mr. President, there is not one disinterested, determined, intelligent champion of the Union cause who does not feel that all attempts to put down the rebellion, and at the same time uphold its exciting cause, are preposterous and futile; that the rebellion, if crushed out tomorrow, would be renewed within a year if slavery were left in full vigor; that army officers who remain to this day devoted to slavery can at best be but halfway loyal to the Union; and that every hour of deference to slavery is an hour of added and deepened peril to the Union.

Lincoln's reply was characteristic:

If there be perceptible in it [Greeley's letter] an impatient and dictatorial tone, I waive it in deference to an old friend whose heart I have always supposed to be right. . . . As to the policy I "seem to be pursuing," as you say, I have not meant to leave any one in doubt. . . . My paramount object is to save the Union, and not either to save or destroy slavery. If I could save the Union without freeing any slave, I would do it; if I could save it by freeing all the slaves, I would do it; and if I could do it by freeing some and leaving others alone, I would also do that.

Lincoln himself had given as much careful thought to emancipation as any man in the country. Being a conservative lawyer, he recognized the legal validity of the master's title to his slaves; this vested interest, he felt, should not be arbitrarily annulled. It might, however, be purchased by the state, and then the state could free the slaves. With this end in view, on March 6, 1862, he submitted a special message to his "fellow-citizens of the Senate and House of Representatives," recommending the adoption of the following joint resolution: "That the United States, in order to cooperate with any State which may adopt gradual abolishment of slavery, ought to give such State pecuniary aid, to be used by such State, in its discretion, to compensate for the inconvenience, public and private, produced by such change of system."

Lincoln's
Proposals

In support of this proposal Lincoln argued that if accepted by the states, it would bring about gradual emancipation, which would be better for all concerned than any sudden overthrow of slavery. Then too, this project "sets up no claim of a right by Federal authority to interfere with slavery within State limits, referring, as it does, the absolute control of the subject in each case to the State and its people immediately interested." Payment for the slaves might be made at the rate of \$400 each. Congress adopted the recommendation, but the border states refused to take advantage of it.

On July 12, 1862, Lincoln made one more appeal to the border states. If they had accepted his proposal of the preceding March, he told their representatives in Congress, they would have put an end to any hope in the South that they might eventually join the Confederacy; by refusing to approve the principle of gradual, compensated emancipation, they kept these hopes alive, and by so doing made themselves partly responsible for the continued resistance of the South.

Again and again Lincoln reverted to this idea of compensated emancipation. In his second annual message, December, 1862, he urged Congress to adopt an amendment to the Constitution, promising compensation to any state which should abolish its slaves at any time prior to January 1, 1900. The long period he said, would spare "both races from the evils of sudden derangement in fact, from the necessity of any derangement;" it would save the slaves from the "destitution which must largely attend immediate emancipation in localities where their numbers are very great." Finally, as late as February 6, 1865, Lincoln proposed compensation for those states which would cease their resistance to federal authority by April 1, next. His Cabinet, however, unanimously disapproved, whereupon compensation dropped out of the picture.

Emancipation
Proclamation

After the first failure of the plan for buying the freedom of the slaves, Lincoln was giving thought to another method of conciliating the abolitionists. He had no legal nor constitutional right to proceed against slavery in any state, but as a military dictator he could use his war power in any way that might embarrass the enemy. He planned, therefore, to announce freedom for all slaves in those parts of the country still in rebellion. For this purpose he worked out a carefully phrased proclamation, the first draft of which was written early in July, 1862. At the end of the month, after Congress had adjourned, he showed it to his Cabinet, with a request for advice concerning the wisdom of making it public. Seward suggested that the time was hardly auspicious then, because of the unfavorable military situation of the Union forces. He would prefer to wait for a Union victory, so that the public would be in a better frame of mind. But Union victories were few during that part of the war. Lincoln finally published it on September 22, after McClellan had succeeded in checking Lee's progress at Antietam. It was to go into effect January 1, 1863. The gist of the Proclamation was contained in the following sentence: "All persons held as slaves within any state or designated part of a state the people whereof shall be in rebellion against the United States shall be then, thenceforward, and forever free."

Even a casual reading of the document makes it plain that the Emancipation Proclamation did not immediately emancipate a single slave. It applied neither to the border states nor to those portions of the Confederacy then held by Union forces, the only places where an executive order of that sort would have any validity. It could not be made effective in the Confederacy because the power of the federal government did not extend that far. Lincoln's famous document therefore was designed, not to free the slaves, but to announce a policy for the future, and incidentally, to please politicians like Chase and Frémont and editors like Greeley. Lincoln himself admitted that it had "no constitutional or legal justification, except as a military measure." On this account he would not use the Proclamation as a means of freeing the slaves outside the Confederacy.

No further attempt was made to promote the cause of emancipation until

December, 1863. Then a member of Congress introduced in the House a thirteenth amendment to the Constitution, providing for the final, complete, and absolute prohibition of slavery everywhere within the jurisdiction of the United States. But Congress was not sufficiently in favor of emancipation to adopt the amendment, so further consideration of it was put off until the following year. In December, 1864, the amendment was brought up again. On the last day of January, 1865, it passed the House, by a vote of 119 to 56. By the following December it was ratified by the necessary three quarters of the state legislatures, and put into effect.

**Thirteenth
Amendment**

This problem of emancipation was not confined to the Union. Even in the Confederacy Jefferson Davis adopted a policy which pointed toward freedom for the slaves. The Confederacy needed more men for the army, and white soldiers could not be secured in sufficient numbers. In January, 1865, General Lee advised the employment of Negroes in the ranks, and in February, in spite of his earlier opposition to the policy, Davis urged it upon Congress. After weeks of acrimonious debate, Congress passed the necessary law, although, as Davis curtly informed the members, they had delayed so long as to sacrifice most of the results hoped for. The measure went into effect on March 23, 1865, and Davis tried to find the Negro soldiers.

**Negro
Soldiers in
the South**

With this act of desperation on the statute books, Southerners might well have asked themselves what they were fighting for. Once slaves became soldiers it was only a short, inevitable step to setting them free. The Confederates themselves would thus accomplish in a few months what the abolitionists had been demanding for half a century or more. For the South the world had indeed turned upside down; instead of a more generous measure of self-government, the southern people found themselves caught halfway between despotism and anarchy; instead of a greater degree of individual freedom, they found some of their personal, property, and civil rights annihilated; instead of a more effective protection for the institution of slavery, they found the plea of military necessity invoked to justify a policy little short of emancipation.

POLITICS DURING THE WAR

In spite of some value to the Union cause, the Emancipation Proclamation was one of the most unpopular of all the "arbitrary acts" of the administration, and it, along with the others, had a definite influence upon war politics. As the contest progressed, the intense enthusiasm in the North diminished somewhat, as did the almost universal determination to support the President. By 1862, when the Congressional elections came around, Lincoln knew that many Democrats who had upheld him in 1861 would vote against his party, and he knew that his party itself was torn with serious factional differences. In the Republican camp there were the radicals, who insisted upon immediate abolition, and the conservatives, who placed the preservation of the Union above everything else. In the President's Cabinet

**Elections of
1862**

these factions were led respectively by Chase and Seward. Some Democrats supported Lincoln during the war, as for example Stanton and Andrew Johnson. Others, like McClellan, approved of the war, but disapproved heartily of the Lincoln administration. Still others, known as "copperheads," openly sympathized with the Confederacy, tried to block enlistments in the Union armies, encouraged desertion, and whenever possible sent important military information to the Confederate authorities. In prosecuting the war, Lincoln had to keep this complex political situation in mind. Every new measure and proposal had to be considered, not solely on its intrinsic merits, but with reference to its possible effect on his own party and upon the opposition. Next to winning victories in the field it was essential to retain a majority in Congress.

The issues in this Congressional campaign were the wartime policies of the administration, particularly the suspension of *habeas corpus*, arbitrary arrests, and above all else, emancipation of the slaves. In 1862 the country was not ready for emancipation. The Democrats seized upon it as an issue, and in the elections the Republicans lost New York, Pennsylvania, Ohio, Indiana, Illinois, and Wisconsin. New Jersey, which had gone against the Republicans in 1860, did the same in 1862. The administration majority in Congress was cut down to the narrowest margin.

This outcome made the administration somewhat nervous as the Presidential campaign year of 1864 approached. The disappointment over Grant's failure to bring the war to a speedy close found expression among the Republicans in criticism of Lincoln, and in demands for a more vigorous prosecution of the war. The radicals of the Chase-Frémont school were especially outspoken in their desire for a new executive. This group attempted to carry the whole party with it by calling a convention of its own. Meeting at Cleveland, they drew up a platform advocating, among other things, a constitutional amendment to prohibit slavery, Congressional rather than executive control of reconstruction, and the confiscation of Confederate property. For their candidate they picked their first standard bearer, John C. Frémont.

When the report of these proceedings reached Lincoln, his comment was to open his Bible, and to read to his Cabinet one verse describing the conspiracy in the cave of Adullam, I Samuel XXII:2: "And every one that was in distress, and every one that was in debt, and every one that was discontented, gathered themselves unto him; and he became a captain over them; and there were with him about four hundred men." Lincoln's perception of Frémont's lack of strength was finally impressed upon the man himself, and on September 21, Frémont withdrew from the campaign.

The regular Republicans, laying emphasis upon their wartime title of "the Union party" met at Baltimore in June. They agreed with the radicals in calling for the thirteenth amendment, but disagreed with them in their attitude toward Lincoln. Lincoln got all the votes except those of Missouri

on the first ballot. For Vice-President the convention selected one of the conspicuous pro-war Democrats, Andrew Johnson of Tennessee. At the time his choice seemed to be an excellent piece of political strategy because it made the ticket acceptable to other Democrats.

The Democrats planned to make capital out of Lincoln's failure to end the war, and they postponed their convention until August 29. Evidently they felt that the campaigns in progress would demonstrate the administration's incapacity. The platform characterized the conduct of the war as a failure, and demanded a change in administration, but the Democrats did not advocate peace on southern terms. However, the permanent chairman was a conspicuous peace Democrat of New York, Horatio Seymour, and the notorious Vallandigham wrote the platform. It took the party twenty years to recover from the effects of such leadership. The Democratic nominee was General McClellan, who had the decency to repudiate the Vallandigham platform. On September 1, the Democrats adjourned, prepared to go before the country with their war-is-a-failure platform, even though their candidate would not stand on it. On September 2, the first reports of Sherman's capture of Atlanta began to arrive. Before the end of the month Sheridan won his victories in the Shenandoah valley, and Farragut had won another in Mobile Bay. The Republican newspapers ridiculed the Democratic platform, and Lincoln became more popular. In the election he carried all but three states: Kentucky, Delaware, and New Jersey, getting 212 electoral votes to 21 for McClellan. His popular plurality was nearly half a million. But his success was due largely, if not entirely, to the sudden change for the better in the field. Had Sherman been beaten before Atlanta, McClellan might perhaps have been elected, even though he had never exhibited any qualities which an executive position requires. Voters in a democracy sometimes reveal weird vagaries in selecting their public officials.

Tactics of
the Democrats

Lincoln
Elected

END OF THE WAR

By the time of Lincoln's second inauguration the Confederacy was on the point of collapse. Military reverses in the field, the pressure of the blockade, growing shortage of food, the breakdown of internal transportation, all these combined to produce war weariness and defeat. Signs of internal weakness had begun to appear in the summer of 1863. In August of that year the Confederate forces were seriously weakened by the large numbers of men absent without leave. Punishment was of no avail, and Davis was reduced to the extremity of begging the men to return, promising all who would come back within twenty days a general pardon. The only exceptions to this sweeping pardon were those who had twice been convicted of desertion prior to this time. Davis even urged the women of the South to use their influence to have the absentees rejoin their regiments. In February, 1864, Davis called the attention of Congress to a condition "already productive of serious evil." The original enthusiasm for the cause, he said, had dis-

War Weariness in the
Confederacy

appeared in some sections. While many of the soldiers were showing their patriotism by re-enlisting, there was evidence outside the army of "discontent, disaffection, and disloyalty." "Public meetings have been held, in some of which a treasonable design is masked by a pretense of devotion to State sovereignty, and in others is openly avowed. Conventions are advocated . . . with the real design of accomplishing treason under the form of law. To this end a strong suspicion is entertained that secret leagues and associations are being formed." In some sections, he went on, judges were releasing men from the army, under *habeas corpus* proceedings. Desertion he described as "already a frightful evil." In September, 1864, Davis reported that two-thirds of the soldiers were absent, "most of them without leave." Friends and relatives at home were constantly urging desertion. Some sections of the South, notably Jones County, Mississippi, became notorious places of refuge for fugitives from both armies.

On January 25, 1865, Davis issued the eleventh and last of a series of proclamations for setting aside a day of fasting and prayer. "Let the hearts of our people turn contritely and trustingly unto God," he said; "let us recognize in His chastening hand the correction of a Father, and submissively pray that the trials and sufferings which have so long borne heavily upon us may be turned away by His merciful love; that His sustaining grace be given to our people, and His divine wisdom imparted to our rulers; that the Lord of Hosts will be with our armies and fight for us against our enemies, and that He will graciously take our cause into His own hand and mercifully establish for us a lasting, just, and honorable peace and independence."

Throughout the war Jefferson Davis was better informed as to the precepts of the Old Testament than as to the facts of the immediate situation. Even at the end, his religious faith was so strong that he could not realize the imminence of defeat. On March 13, 1865, less than one month before Lee surrendered, Davis admitted that the country was in danger, but he told Congress of his "deliberate conviction that it is within our power to avert the calamities which menace us, and to secure the triumph of the sacred cause for which so much sacrifice has been made. . . ." April 4, at Danville, two days after the Confederate authorities had fled from Richmond, Davis admitted that moral and material harm must result from Grant's capture of the Confederate capital. But it would be unwise, he declared "as patriots engaged in a most sacred cause, to allow our energies to falter, our spirits to grow faint, or our efforts to become relaxed under reverses, however calamitous." "I announce to you, fellow-countrymen, that it is my purpose to maintain your cause with my whole heart and soul; that I will never consent to abandon to the enemy one foot of the soil of any of the States of the Confederacy; . . . that Virginia, with the help of the people, and by the blessing of Providence, shall be held and defended, and no peace ever be made with the infamous invaders of her homes by the

sacrifice of any of her rights or territory. If by stress of numbers we should ever be compelled to a temporary withdrawal from her limits, or those of any other border State, again and again will we return, until the baffled and exhausted enemy shall abandon in despair his endless and impossible task of making slaves of a people resolved to be free."

Perhaps a leader with a greater respect for the objective world would at least have realized the hopelessness of the struggle long before Davis did, and by an early surrender he might have spared the South the desperate suffering of the last year and a half of war. In some quarters the Confederate president has been greatly admired for his indomitable tenacity of purpose. That tenacity which leads to destruction and death may be admirable, but possibly some of the frank opportunism of Abraham Lincoln would have made for greater happiness.

With the Confederacy already broken and with the North actually at the peak of its wartime effort, the struggle moved inexorably toward the end. General Lee was still holding out against Grant; General Johnston, who had been restored to his command, was still opposing Sherman. But Grant and Sherman were gradually closing in on both Confederate forces. By March, 1865, Grant was again moving toward his objective, Lee's army, and in a few weeks the struggle was over. On April 9, Grant and Lee met near Appomattox Court House, to arrange the terms of surrender. The contrast between the two men was striking. Lee appeared in a new uniform, the very embodiment of military dignity. Grant came in the uniform of a private, with nothing but his general's stars to distinguish him from a common soldier. Always considerate and gentle in his personal dealings, the Union commander could not bring himself to refer to the occasion which brought him face to face with his great opponent. There was no trace of bitterness in his attitude, no suggestion of arrogance in his manner; those signs of littleness were as foreign to Grant as they were to Lee. The two men had met before, during the Mexican War, and Grant tactfully found in this an opening for their conversation. For half an hour they chatted pleasantly about those earlier campaigns, until Lee reminded Grant of the business at hand. The terms of surrender were then drawn up and signed. At Lee's request, Grant allowed the Confederate cavalymen and artillerymen to keep their horses; "they will need them for the spring ploughing."

On April 26, Johnston surrendered his army of thirty-seven thousand to General Sherman. Their agreement also included some fifty thousand more, subject to Johnston's orders, in Georgia. The surrenders of Lee and Johnston had ended the war, although Kirby Smith, the last Confederate commander in the field, did not give in until May 26, at Shreveport, Louisiana.

On April 2 the Confederate government had fled from Richmond. Davis, still clinging to the illusion that the Confederacy was a going concern, escaped to North Carolina, where he held his last Cabinet meeting. But he had waited too long. Hoping to avoid capture he moved south into Georgia,

Lee's Sur-
render at
Appomattox

with the intention of finding refuge abroad. On May 10, he was captured by federal officers and imprisoned in Fortress Monroe.

Lincoln's
Last Words to
the Nation

On April 11, two days after Lee's surrender, Lincoln participated in the general celebration. At this time he delivered his last public address. The end of the war, he said, made immediate plans for reconstruction imperative. But the whole subject was full of difficulty. In the South there was no organized authority to deal with. "We simply must begin with and mold from disorganized and discordant elements. Nor is it a small additional embarrassment that we, the loyal people, differ among ourselves as to the mode, manner, and measure of reconstruction." Some of his critics, he said, were finding fault with him because he had not decided definitely whether the seceded states were in the Union or out of it. He did not intend to argue the point; on the contrary, as he told his hearers, he felt that discussion of such a "pernicious abstraction" could work nothing but harm. "We all agree that the seceded States, so called, are out of their proper practical relation with the Union, and that the sole object of the Government, civil and military, in regard to those States, is to again get them into that proper relation. I believe that it is not only possible, but in fact easier, to do this without deciding or even considering whether these States have ever been out of the Union, than with it. Finding themselves safely at home, it would be utterly immaterial whether they had ever been abroad."

In his last Cabinet meeting, held on April 14, 1865, Lincoln made a strong plea for lenience toward the South: "I hope there will be no persecution, no bloody work after the war is over. None need expect me to take any part in hanging or killing them. . . . Enough lives have been sacrificed. We must extinguish our resentment if we expect harmony and union." But he had no hope that the majority in Congress would agree with this policy of moderation. Therefore, as he explained to his Cabinet at the same final meeting, the executive would do well to go ahead with the original plan, and then confront the legislature with a set of accomplished facts.

Assassination
of Lincoln

On the evening of April 14 Lincoln and a small party went to a play in Ford's theater. Shortly before the end of the performance, John Wilkes Booth, an actor by profession and a fanatic by temperament, gained access to the President's box. Before anyone was really aware of the interruption, he placed a pistol directly against Lincoln's head and killed him. Then he leaped to the stage, breaking his leg in the fall, but because of the general confusion he succeeded in making his escape. He took refuge in Virginia, but his hiding place was discovered, and upon his refusal to come out and surrender, he was shot. Then his fellow conspirators were tried, convicted of conspiracy to commit murder, and hanged.

Lincoln was the personification of the principle or genius of American government. He represented the common citizen, and he accomplished his work with the means at his disposal. Recognizing the existence of Congress, he accorded that body the homage due and thanked Providence for the

recesses between sessions. The Congressional committee on the conduct of the war continually embarrassed him. Understanding the necessity of machine politics, he played the game with the cleverest of them, but he drew the line at bare-faced corruption. Taking the Constitution as it was, he was able to preserve the principle of it by a temporary departure from the strict letter. In all that he did and in all that he said and wrote, he made himself understandable, like the common man that he was. There was no mystery about Lincoln, except perhaps in the sources of his genius. The fact of his genius stands out plainly enough.¹

It has been customary for historians to interpret the Civil War as the climax of a long-continued trend in American history, as the triumph of nationalism over states' rights. In 1865 this particular development was far from complete, as recent history shows. But the Civil War ended all experiments with nullification and secession, all serious efforts to challenge the supreme authority of the federal system. Since that time the doctrine of national supremacy has been generally accepted and strengthened.

This acquisition of new national authority at home was accompanied by new American prestige abroad. By 1865 the American army and navy held a position which commanded respect. Seward found this new strength particularly helpful in negotiating the French out of Mexico. There are public officials, Napoleon III and Adolf Hitler for example, who can be impressed by nothing except superior military power. The United States had never before been able to compel other governments to respect the Monroe Doctrine. After 1865 this kind of power was allowed to deteriorate and in the next serious crisis, from 1914 to 1917, American diplomacy was rendered ineffective. There were numerous implications in this relationship between diplomacy and force which in time were destined to have important consequences for American policy.

In American politics the Civil War temporarily clinched the hold of the Republican party on the national government. The party was still sectional, still a fusion of eastern and western interests opposed to the South. The restoration of peace might threaten Republican power, particularly if the southern Democrats should resume their connections with their former associates in the North. This possibility of a challenge to their position was a serious matter for the Republicans. During the war they had put important new policies into effect, policies having to do with banking and finance, public lands, railroads, and the West; they had also restored the old policy of high protection for American manufacturers. The mere restoration of peace might upset the whole program. Clearly aware of dangers from this quarter, Republican leaders determined to spread their organization through the South, so that these eleven states would actually contribute to Republican

¹ The material on Reconstruction and on Republican legislation for the West will be dealt with in the second volume of this work.

strength. So it happened that questions of partisan politics became inextricably mixed with the processes of Reconstruction.

During the course of the war numerous American businessmen had made fortunes. Finding themselves possessed of both wealth and power, they were able to call upon government in its various branches to assist them in their enterprises. Out of this situation there developed an alliance between business and politics which threatened for a time to upset the principles of democracy itself. Thus the Civil War left more problems in its wake than it solved, and for the next seventy-five years—and how much longer nobody knows—the American people struggled with these problems. These struggles provided material for American history after 1865.

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Barnes, G. H., *The Anti-Slavery Impulse, 1830-1844*.

Galpin, W. F., *Pioneering for Peace*.

Garrison, W. P., and F. J., *William Lloyd Garrison* (4 vols.).

Harlow, R. V., *Gerrit Smith*.

Hart, A. B., *Slavery and Abolition, 1831-1841*.

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Krout, J. A., *The Origins of Prohibition*.

- Ludlum, R., *Joshua R. Giddings*.
 Macy, J., *The Anti-Slavery Crusade*.

CHAPTER 31. TERRITORIAL EXPANSION

- Barker, E. C., *The Life of Stephen F. Austin*.
 Bolton, H. E., *The Spanish Borderlands*.
 Garrison, G. P., *Westward Extension*.
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 Rippey, J. F., *The United States and Mexico*.
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 Skinner, C. L., *Adventures in Oregon*.
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CHAPTER 32. THE WAR WITH MEXICO AND OTHER VENTURES

In addition to the works cited for the preceding chapter:

- Bemis, S. F., *The American Secretaries of State and Their Diplomacy* (10 vols.), for the varied diplomatic activity of the period.
 Smith, J. H., *The War with Mexico* (2 vols.).

CHAPTER 33. POLITICS AND THE COMPROMISE OF 1850

For this and the following chapters, the standard authority is still:

- Rhodes, J. F., *History of the United States from the Compromise of 1850* (9 vols.).

Rhodes may be supplemented by:

- Cole, A. C., *The Irrepressible Conflict*.
 Dodd, W. E., *The Cotton Kingdom*.
 Johnson, A., *Stephen A. Douglas*.
 Milton, G. F., *The Eve of Conflict*, another recent account of the controversy over slavery.
 Pendelton, L. B., *Alexander H. Stephens*.
 Phillips, U. B., *The Life of Robert Toombs*.
 Randall, J. G., *The Civil War and Reconstruction*, has excellent material on slavery and the Compromise of 1850. It is the best brief survey of the whole period from 1850 to 1877.
 Smith, T. C., *Parties and Slavery*.

CHAPTER 34. THE SLAVERY DISPUTE REVIVED; CHAPTER 35. DRED SCOTT, LINCOLN, DOUGLAS, AND JOHN BROWN

In addition to the works previously cited, the following throw light on individuals and the major developments:

- Beveridge, A. J., *Abraham Lincoln, 1809-1858* (2 vols.).

Nicholls, R. F., *Franklin Pierce*.

Villard, O. G., *John Brown*; the best biography of this firebrand.

FOR THE DRED SCOTT DECISION:

Warren, C., *The Supreme Court* (2 vols.), has a clear analysis.

CHAPTER 36. REPUBLICAN VICTORY AND SOUTHERN SECESSION

In addition to Channing, McMaster, Milton, Randall, Rhodes and other extensive works, there is valuable material in:

Auchampaugh, P. G., *James Buchanan and His Cabinet on the Eve of Secession*.

Dumond, D. L., *The Secession Movement*.

Fish, C. R., *Essays on the Civil War and Reconstruction*.

The following are indispensable from the southern point of view:

Davis, J., *Rise and Fall of the Confederate Government* (2 vols.).

Dodd, W. E., *Jefferson Davis*.

Eckenrode, J. H., *Jefferson Davis, President of the South*.

Stephens, A. H., *A Constitutional View of the Late War between the States* (2 vols.).

CHAPTER 37. MILITARY ACTIVITIES, 1861-1865

The following are reliable single-volume histories of the Civil War:

Channing, E., *History of the United States*, vol. VI.

McMaster, J. B., *History of the People of the United States during Lincoln's Administration*.

Rhodes, J. F., *History of the Civil War*.

In many respects the chapters in Randall, *The Civil War and Reconstruction*, are the most convenient.

FOR THE MILITARY ASPECTS OF THE WAR:

Buell, C. C., and Johnson, R. U., *Battles and Leaders of the Civil War* (4 vols.).

Freeman, D. S., *Robert E. Lee* (4 vols.), the authoritative work on Lee.

Livermore, W. R., and Ropes, J. C., *The Story of the Civil War* (4 vols.).
Personal Memoirs of U. S. Grant (2 vols.).

Shannon, F. A., *The Organization and Administration of the Union Army* (2 vols.).

CHAPTER 38. FOREIGN RELATIONS DURING THE WAR

For wartime diplomacy, in addition to Rhodes, see:

Adams, C. F., Jr., *Charles Francis Adams*.

Adams, E. D., *Great Britain and the American Civil War* (2 vols.).

Bancroft, F., *The Life of William H. Seward* (2 vols.).

Callahan, J. M., *Diplomatic History of the Southern Confederacy*.

- Jordan, D., and Pratt, E. J., *Europe and the American Civil War*.
Owsley, F. L., *King Cotton Diplomacy*.

CHAPTER 39. NON-MILITARY PROBLEMS AND THE END OF THE WAR

- Cole, A. C., *The Irrepressible Conflict*.
Fite, E. D., *Social and Industrial Conditions in the North during the Civil War*.
Owsley, F. L., *State Rights in the Confederacy*.
Randall, J. G., *Constitutional Problems under Lincoln*.
Schwab, J. C., *The Confederate States of America, 1861-1865*.
Wesley, C. H., *The Collapse of the Confederacy*.

The larger works already cited have material on the topics covered in this chapter.

Appendix

DECLARATION OF INDEPENDENCE

In Congress, July 4, 1776,

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA,

WHEN in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Láws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws of Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies.

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislature, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

JOHN HANCOCK.¹

¹ The remaining signatures are omitted.

ARTICLES OF CONFEDERATION

November 15, 1777

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting.

Whereas the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the year of our Lord One Thousand Seven Hundred and Seventy-seven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia in the Words following, viz.

"Articles of Confederation and perpetual Union between the States of New-hamshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

ARTICLE I. THE stile of this confederacy shall be "The United States of America."

ARTICLE II. EACH State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

ARTICLE III. THE said States hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE IV. THE better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State, to any other state of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them.

If any Person guilty of, or charged with treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of

the United States, he shall upon demand of the Governor or Executive power, of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offence.

Full faith and credit shall be given in each of these States to the records, acts and judicial proceedings of the courts and magistrates of every other State.

ARTICLE V. FOR the more convenient management of the general interest of the United States, delegates shall be annually appointed in such manner as the legislature of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State, to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

No State shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit receives any salary, fees or emolument of any kind.

Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States.

In determining questions in the United States, in Congress assembled, each State shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court, or place out of Congress, and the members of Congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

ARTICLE VI. No State without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any king, prince or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the United States in Congress assembled, with any king, prince or state, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any State, except

such number only, as shall be deemed necessary by the United States in Congress assembled, for the defence of such State, or its trade; nor shall any body of forces be kept up by any State, in time of peace, except such number only, as in the judgment of the United States, in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such State; but every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay, till the United States in Congress assembled can be consulted: nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the kingdom or state and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

ARTICLE VII. WHEN land-forces are raised by any State for the common defence, all officers of or under the rank of colonel, shall be appointed by the Legislature of each State respectively by whom such forces shall be raised, or in such manner as such State shall direct, and all vacancies shall be filled up by the State which first made the appointment.

ARTICLE VIII. ALL charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States, in proportion to the value of all land within each State, granted to or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled, shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the Legislatures of the several States within the time agreed upon by the United States in Congress assembled.

ARTICLE IX. THE United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving ambassadors—entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be re-

strained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated—of granting letters of marque and reprisal in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts.

THE United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more States concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any State in controversy with another shall present a petition to Congress, stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as Congress shall direct, shall in the presence of Congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the Secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the State, where the cause shall be tried,

"well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection or hope of reward:" provided also that no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdiction as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

THE United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States—fixing the standard of weights and measures throughout the United States—regulating the trade and managing all affairs with the Indians, not members of any of the States, provided that the legislative right of any State within its own limits be not infringed or violated—establishing and regulating post-offices from one State to another, throughout all the United States, and exacting such postage on the papers passing thro' the same as may be requisite to defray the expenses of the said office—appointing all officers of the land forces, in the service of the United States, excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States—making rules for the government and regulation of the said land and naval forces, and directing their operations.

THE United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated "a Committee of the States," and to consist of one delegate from each State; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction—to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses—to borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective States an account of the sums of money so borrowed or emitted,—to build and equip a navy—to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State; which requisition shall be binding, and thereupon the Legislature of each State shall appoint the regimental officers, raise the men and cloath, arm and equip them in a soldier like manner, at the expense of the United States; and the officers and men so cloathed, armed and equipped shall march to the

place appointed, and within the time agreed on by the United States in Congress assembled: but if the United States in Congress assembled shall, on consideration of circumstances judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other State should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed and equipped in the same manner as the quota of such State, unless the legislature of such State shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise officer, cloth, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

THE United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defence and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the United States in Congress assembled.

THE Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment require secrecy; and the yeas and nays of the delegates of each State on any question shall be entered on the journal, when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the Legislatures of the several States.

ARTICLE X. THE committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine States, shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine States in the Congress of the United States assembled is requisite.

ARTICLE XI. Canada acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

ARTICLE XII. ALL bills of credit emitted, monies borrowed and debts contracted by, or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States, and the public faith are hereby solemnly pledged.

ARTICLE XIII. EVERY State shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the Legislatures of every State.

And whereas it hath pleased the Great Governor of the World to incline the hearts of the Legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union. Know ye that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained: and we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual.

In witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the State of Pennsylvania the ninth day of July in the year of our Lord one thousand seven hundred and seventy-eight, and in the third year of the independence of America.

THE CONSTITUTION OF THE UNITED STATES OF AMERICA ¹

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

[Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.] The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

¹ This version of the Constitution is that published by the Office of Education, United States Department of the Interior, in 1935. It follows the original document closely in matters of spelling and capitalization:

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of Chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any

question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence

and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a tax or duty

may be imposed on such Importation, not exceeding ten dollars for each Person.

The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No capitation, or other direct, Tax shall be laid unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II.

SECTION 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice-President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

[The Electors shall meet in their respective States, and vote by Ballot for

two persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.]

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION 2. The President shall be Commander in Chief of the Army and

Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion in writing, of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices, and he shall have Power to Grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation which shall not be diminished during their Continuance in Office.

SECTION 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between

Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attained.

ARTICLE IV.

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII.

The Ratification of the Conventions of nine States shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth. In Witness whereof We have hereunto subscribed our Names.

G° WASHINGTON

Presidt and deputy from Virginia

[Other signatures omitted.]

ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE LEGISLATURES OF THE SEVERAL STATES, PURSUANT TO THE FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION.

[ARTICLE I.]

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

[ARTICLE II.]

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

[ARTICLE III.]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

[ARTICLE IV.]

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

[ARTICLE V.]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

[ARTICLE VI.]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

[ARTICLE VII.]

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

[ARTICLE VIII.]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

[ARTICLE IX.]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

[ARTICLE X.]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

[Amendments 1-X, in force 1791.]

ARTICLE XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State. [1798.]

ARTICLE XII.

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose

shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States. [1804.]

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation. [1865.]

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any

State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article. [1868.]

ARTICLE XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude—

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation. [1870.]

ARTICLE XVI.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration. [1913.]

ARTICLE XVII.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution. [1913.]

ARTICLE XVIII.

[SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SECTION 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.] [1919.]

ARTICLE XIX.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation. [1920.]

ARTICLE XX.

SECTION 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

SECTION 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

SECTION 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

SECTION 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

SECTION 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

SECTION 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission. [1933.]

ARTICLE XXI.

SECTION 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

SECTION 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress. [1933.]

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